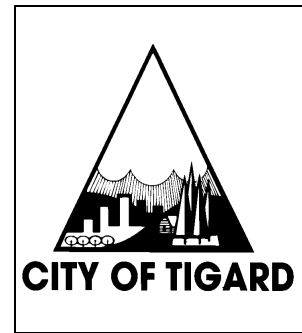

TIGARD CITY COUNCIL
BUSINESS MEETING

August 14, 2001 6:30 p.m.

TIGARD CITY HALL
13125 SW HALL BLVD
TIGARD, OR 97223



PUBLIC NOTICE:

Anyone wishing to speak on an agenda item should sign on the appropriate sign-up sheet(s). If no sheet is available, ask to be recognized by the Mayor at the beginning of that agenda item. Visitor's Agenda items are asked to be two minutes or less. Longer matters can be set for a future Agenda by contacting either the Mayor or the City Manager.

Times noted are estimated; it is recommended that persons interested in testifying be present by 6:15 p.m. to sign in on the testimony sign-in sheet. Business agenda items can be heard in any order after 6:30 p.m.

Assistive Listening Devices are available for persons with impaired hearing and should be scheduled for Council meetings by noon on the Monday prior to the Council meeting. Please call 503-639-4171, Ext. 309 (voice) or 503-684-2772 (TDD - Telecommunications Devices for the Deaf).

Upon request, the City will also endeavor to arrange for the following services:

- Qualified sign language interpreters for persons with speech or hearing impairments; and
- Qualified bilingual interpreters.

Since these services must be scheduled with outside service providers, it is important to allow as much lead time as possible. Please notify the City of your need by 5:00 p.m. on the Thursday preceding the meeting by calling: 503-639-4171, x309 (voice) or 503-684-2772 (TDD - Telecommunications Devices for the Deaf).

SEE ATTACHED AGENDA

A G E N D A
TIGARD CITY COUNCIL BUSINESS MEETING
AUGUST 14, 2001

6:30 PM

1. BUSINESS MEETING
 - 1.1 Call to Order - City Council & Local Contract Review Board
 - 1.2 Roll Call
 - 1.3 Pledge of Allegiance
 - 1.4 Council Communications & Liaison Reports
 - 1.5 Call to Council and Staff for Non-Agenda Items

2. PUBLIC HEARING – CONSIDER AN ORDINANCE LEVYING ASSESSMENTS AND BUSINESS TAX SURCHARGES FOR THE DOWNTOWN ECONOMIC IMPROVEMENT DISTRICT
 - a. Open Public Hearing
 - b. Staff Report: Community Development Staff
 - c. Public Testimony
 - d. Staff Recommendation
 - e. Council Discussion, Questions, Comments
 - f. Close Public Hearing
 - g. Council Consideration: If less than 33% remonstrance are received – Ordinance No. 01 - _____

3. VISITOR'S AGENDA (Two Minutes or Less, Please)

4. CONSENT AGENDA: These items are considered to be routine and may be enacted in one motion without separate discussion. Anyone may request that an item be removed by motion for discussion and separate action. Motion to:
 - 4.1 Approve Council Minutes: June 12 and 19, 2001
 - 4.2 Receive & File:
 - a. Council Calendar
 - b. Tentative Agenda
 - 4.3 Approve Budget Amendment #3 to the Fiscal Year 2001-2002 Budget to Appropriate a State of Oregon Grant in the Amount of \$250,000 for Improvements to Cook Park – Resolution No. 01 - _____

- 4.4 Authorize the Crime Prevention Officer to Attend the Crime Free Conference 2001
- 4.5 Local Contract Review Board
 - a. Waive Purchasing Rule 70.20(1) and Approve Proposal for the Conceptual Design and Construction of an Architectural Model of the New Library to BML Architects – Resolution No. 01 - _____

- *Consent Agenda - Items Removed for Separate Discussion: Any items requested to be removed from the Consent Agenda for separate discussion will be considered immediately after the Council has voted on those items which do not need discussion.*

5. CONTINUATION OF QUASI-JUDICIAL PUBLIC HEARING – CONSIDER THE APPEAL OF THE BLUE HERON PARK SUBDIVISION (SUB 2001-00001, PDR 2001-00001, ZON 2001-0002, SLR 2001-00003, VAR 2001-00002)

ITEM ON APPEAL: On June 11, 2001, the Planning Commission denied a request for approval of an 18-lot subdivision on 4.15 acres. The lots are to be developed with attached single-family homes. Lot sizes within the development average just over 3,800 square feet. Development is to be clustered on the west side of the development site, allowing for the preservation and enhancement of the pond, wetland, and stream area on the eastern portion of the property. A sensitive lands review is required for the development due to the presence of steep slopes, a wetland, and a natural drainageway on the site. On June 22, 2001 an appeal was filed regarding the Planning Commission's denial of the project. **LOCATION:** 12450 SW Walnut Street; WCTM 2S103BC, Tax Lot 3900. The project site is located on the south side of SW Walnut Street, opposite of SW 124th Avenue and west of SW 121st Avenue. **ZONE:** R-4.5: Low-Density Residential District. The R-4.5 zoning district is designed to accommodate detached single-family homes with or without accessory residential units at a minimum lot size of 7,500 square feet. Duplexes and attached single-family units are permitted conditionally. Some civic and institutional uses are also permitted conditionally. **REVIEW CRITERIA BEING APPEALED:** Community Development Code Chapter 18.390.

- a. Continue Public Hearing from July 24, 2001
- b. Declarations or Challenges
- c. Staff Report: Community Development Staff
- d. Public Testimony: Proponents, Opponents, Rebuttal
- e. Staff Recommendation
- f. Council Discussion, Questions, Comments
- g. Close Public Hearing

- h. Council Consideration: The Council will consider a resolution to either uphold or reverse the Planning Commission's denial of the Blue Heron Park Subdivision - Resolution No. 01 - _____

6. COUNCIL LIAISON REPORTS

7. NON AGENDA ITEMS

8. EXECUTIVE SESSION: The Tigard City Council may go into Executive Session. If an Executive Session is called to order, the appropriate ORS citation will be announced identifying the applicable statute. All discussions are confidential and those present may disclose nothing from the Session. Representatives of the news media are allowed to attend Executive Sessions, as provided by ORS 192.660(3), but must not disclose any information discussed. No Executive Session may be held for the purpose of taking any final action or making any final decision. Executive Sessions are closed to the public.

9. ADJOURNMENT

\\TIG333\USR\DEPTS\ADM\CATHY\CCA\010814.DOC

**CITY OF TIGARD, OREGON
COUNCIL AGENDA ITEM SUMMARY**

ISSUE/AGENDA TITLE: Economic Improvement District Ordinance – Tigard Central Business District Association

PREPARED BY: James Hendryx **DEPT HEAD OK** _____ **CITY MGR OK** _____

ISSUE BEFORE THE COUNCIL

Should the Tigard City Council adopt a final Economic Improvement District (EID) ordinance levying assessments and business tax surcharges implementing the framework for the Tigard Central Business District Association (TCBDA) to continue their efforts to promote and revitalize the downtown?

STAFF RECOMMENDATION

Staff recommends that the Council determine the level of remonstrance received on the formation of the EID. If sufficient remonstrance has been received, Council may not proceed. Otherwise, Council should adopt a final Economic Improvement District (EID) ordinance levying assessments and business tax surcharges implementing the framework for the Tigard Central Business District Association (TCBDA) to continue their efforts to promote and revitalize the downtown.

INFORMATION SUMMARY

The Tigard Central Business District Association was formed in 1998 in an effort to promote and revitalize the downtown. Stable funding is critical for their continued success. The proposed Economic Improvement District establishes a framework for the TCBDA to continue their efforts.

The City Council adopted Ordinance No. 01-01 on April 10, 2001 creating Chapter 13.12 of the Tigard Municipal Code which establishes procedures for the creation of an Economic Improvement District (EID). The EID must be established through City Council process. In order to form an EID, Council must adopt an Economic Improvement District Plan establishing the framework for the EID. Two formal hearings are held by the City Council to consider the formation of an Economic Improvement District. The first hearing was held on July 10, 2001 where Council adopted Ordinance 01-10 creating a Downtown Economic Improvement District, adopting an Economic Improvement Plan for the Downtown Economic Improvement District, and calling for a public hearing on proposed assessments and surcharges. Notice as required by statute was provided to all property and business owners advising of Council's intention to form an EID.

At the August 14, 2001 hearing, written remonstrates will be tallied in accordance to statute. Written remonstrance from owners of 33% of the property upon which the total amount of assessment is levied and/or 33% of the businesses within the proposed district stops that portion of the EID process.

The anticipated annual budget for the TCBDA is approximately \$90,000. Funding would come from four areas - promotional activities are expected to bring in about \$10,000 and the remaining amount will be divided equally between property owners, business owners, and the City of Tigard.

Remonstrances from 33% of the total property assessed equals \$8800. As of July 27, 2001 remonstrances have been received from properties equaling approximately \$7,000 or 26%. Remonstrances from 33% of the businesses within the district would equal 64 businesses out of a total of 194. As of July 27, 2001, 41 businesses (21%) have remonstrated. Council will be updated at the hearing on the rate of remonstrance.

At the public hearing Council may adopt, correct, modify or revise boundaries, assessments, or charges.

OTHER ALTERNATIVES CONSIDERED

1. Take no action at this time.

VISION TASK FORCE GOAL AND ACTION COMMITTEE STRATEGY

Downtown #1: Provide opportunities to work proactively with Central Business District (CBD) businesses and property owners and citizens of Tigard to set a course for the future of the central downtown.

ATTACHMENT LIST

Attachment 1 – Ordinance with exhibits

Attachment 2 – Memorandum and copies of remonstrances received as of July 27, 2001

Attachment 3 – Sample notices

FISCAL NOTES

The City's contribution is estimated at approximately \$26,670 annually.

CITY OF TIGARD, OREGON

ORDINANCE NO. 01-____

**AN ORDINANCE LEVYING ASSESSMENTS AND BUSINESS TAX SURCHARGES
FOR THE DOWNTOWN ECONOMIC IMPROVEMENT DISTRICT**

WHEREAS, The Tigard Central Business District Association petitioned the City to create an Economic Improvement District in the downtown area (the "Downtown Economic Improvement District"), and;

WHEREAS, The City Council held public hearings on June 12, 2001, July 10, 2001, and August 14, 2001, on the issue of the formation of the Downtown Economic Improvement District, and;

WHEREAS, Written notice was provided to most property and business owners within the proposed district at least 30 days prior to the June 12 hearing and written notice was provided to all other property and business owners within the district at least 30 days before the July 10, 2001 and August 14, 2001, hearings, and;

WHEREAS, The City Council has considered the testimony offered at the public hearings concerning the formation of the Downtown Economic Improvement District, and;

WHEREAS, The City Council has reviewed the Economic Improvement Plan for the proposed Downtown Economic Improvement District, and;

WHEREAS, The City Council has determined that the proposed economic improvements would result in a special and peculiar benefit to non-residential properties and businesses within the proposed Downtown Economic Improvement District different in kind and degree from that afforded to the general public, and therefore, that the Downtown Economic Improvement District should be established, and;

WHEREAS, Notice of proposed assessments and business tax surcharges has been mailed or personally delivered to the owner of each lot to be assessed or business to be charged. The notice stated the amount of the assessment proposed on the property of the owner receiving the notice, or the surcharge to the owner of the business receiving the notice, or both, and;

WHEREAS, A public hearing was scheduled at which affected property owners or business owners may appear to support or object to the proposed charge. The notice required by Section 4 shall state the time and place of the public hearing, which was held no sooner than 30 days after the mailing or personal delivery of the notices, and;

WHEREAS, Written objections were not received at or before the public hearing from owners of property upon which more than 33% of the total amount of assessments are levied or from more than 33% of persons conducting business within the Economic Improvement District who will be subject to the proposed business tax surcharge,

NOW, THEREFORE, THE CITY OF TIGARD ORDAINS AS FOLLOWS:

SECTION 1. The Downtown Economic Improvement District is hereby formed in the territory shown on the map attached hereto as Exhibit 1 and incorporated by this reference.

SECTION 2. The Economic Improvement Plan for the Downtown Economic Improvement District attached hereto as Exhibit 2 and incorporated by this reference is hereby adopted.

SECTION 3. Properties and businesses within the Downtown Economic Improvement District shall each bear a portion of the costs of the district as detailed in Section 5 of the Economic Improvement Plan.

SECTION 4. The City Finance Director shall cause to be prepare the assessment for each lot and business and file it with the City Recorder.

PASSED: By _____ votes of all Council members present after being read by number and title only, this ____ day of _____, 2001.

Catherine Wheatley, City Recorder

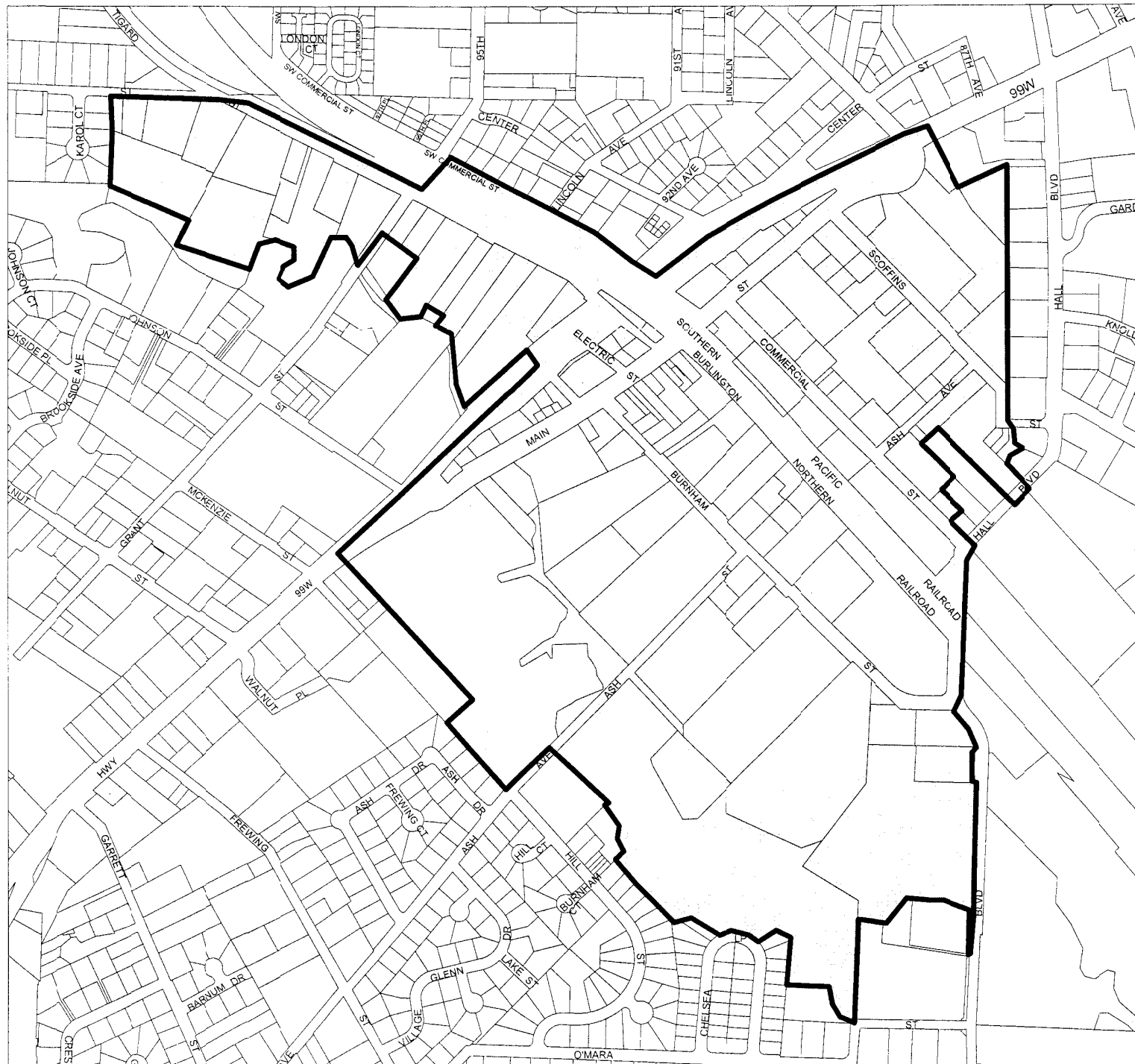
APPROVED: By Tigard City Council this ____ day of _____, 2001.

James Griffith, Mayor

Approved as to form:

City Attorney

Date

 Tigard Central Business District Association Area

0 400 800 Feet
1"= 600 feet



City of Tigard

Information on this map is for general location only and should be verified with the Development Services Division.
13125 SW Hail Blvd
Tigard, OR 97223
(503) 639-4171
<http://www.ci.tigard.or.us>



MEMORANDUM

CITY OF TIGARD, OREGON

13125 SW Hall Boulevard
Tigard, Oregon 97223
(503) 639-4171
Fax 684-7297

TO: Mayor Griffith, City Council Members

FROM: James N.P. Hendryx, Director of Community Development

DATE: June 12, 2001

SUBJECT: Economic Improvement Plan – Tigard Central Business District Association

The City Council adopted Ordinance 01-01 on April 10, 2001 creating Chapter 13.12 of the Tigard Municipal Code which establishes procedures for the creation of an Economic Improvement District.

What is an Economic Improvement District? An Economic Improvement District is a type of assessment district in which property and/or business owners choose to be assessed a fee, collected by the City, for use in promoting and improving the business area. The concept of the Economic Improvement District is similar to a LID (Local Improvement District). However, rather than funding streets, sidewalks and other capital improvements as an LID does, an Economic Improvement District is meant to fund the many non-physical projects of a revitalization program. These might include: business retention and recruitment, planning, promotion/marketing, maintenance and management.

In order to form an Economic Improvement District Council must adopt an Economic Improvement Plan which includes:

1. A description of economic improvements proposed to be carried out, with any appropriate phasing plan or schedule;
2. The number of years, to a maximum of five, in which assessments are proposed to be levied;
3. A preliminary estimate of annual cost of the proposed economic improvements;
4. The proposed boundaries designated by map or perimeter description of an Economic Improvement District within which subject properties would be assessed to finance the cost of the economic improvement;
5. The proposed formula for assessing the cost of economic improvements against subject properties. The formula may be an assessment based on the assessed value or area of the property involved, or a surcharge on the business tax on any business, trade, occupation or profession carried on or practiced in the Economic Improvement District, or both;

6. A statement whether the property assessment will be a voluntary assessment or mandatory assessment;
 - A. If voluntary, that the scope and level of improvements could be reduced depending on the amount of money collected;
 - B. If mandatory, that the assessment will be considered a tax under the Oregon Constitution, Article XI Section 11(b) and may be reduced to fit within the property tax limitation, thereby affecting the level and scope of services described.
7. If applicable, information about the organization requesting the creation of the Economic Improvement District;
8. Reasons why the Economic Improvement District should be created;
9. If applicable, a list of anticipated agreements between the proposed Economic Improvement District and other organizations;
10. The administration fee, if any, to be paid to the City for administering the Economic Improvement District.

Following adoption of the enabling ordinance, two public hearings are required. The purpose of the first public hearing is to announce the intention of the City Council to undertake the economic improvement project and to assess benefited property for a part or all of the cost for such improvements. Public notice must be sent to all property and business owners advising of the hearing and explaining the EID/BID. This is the first forum where the whole community is able to provide public input on the EID/BID. The Oregon Downtown Development Association (ODDA) recommends avoiding efforts to change the proposal drastically at the first hearing since most owners already know what to expect and changing the proposal may shake their confidence in the proposal, as well as assessment amounts. The first public hearing is tentatively scheduled for July 10, 2001 (continued from June 12, 2001).

The second public hearing must be held no sooner than 30 days after the initial hearing. The second hearing is tentatively scheduled for August 14, 2001, pending Council's action on July 10, 2001. At the second public hearing Council may approve the EID/BID, provided written remonstrances are not received from businesses and property owners who represent 33%, or more, of the total assessments to be collected.

PROPOSED ECONOMIC IMPROVEMENT PLAN:

1. **A description of economic improvements proposed to be carried out, with any appropriate phasing plan or schedule;**

The Tigard Central Business District Association states "the EID/BID will protect the investment that we've made in our community. It will enable us to help shape the future of the downtown and complete beautification projects that will ensure a stronger business climate, better jobs, and a more attractive community we can all be proud of."

Proposed Program

- ♦ Two part-time positions – Downtown Manager and administrative support
- ♦ Professional assistance from the Oregon Downtown Development Association
- ♦ Flower baskets and street beautification
- ♦ Increased recognition of the business community
- ♦ Training seminars for businesses
- ♦ Promotions (Easter, Sidewalk Sale, Halloween, Christmas, and Tigard Blast)
- ♦ Clean and safe activities
- ♦ Street amenities

2. **The number of years, to a maximum of five, in which assessments are proposed to be levied;**

The EID/BID would be assessed for five years.

3. **A preliminary estimate of annual cost of the proposed economic improvements;**

♦ Salaries	\$41,000
♦ Equipment	\$ 500
♦ Office	\$10,520
♦ Professional services	\$ 3,980
♦ Design & beautification	\$ 3,000
♦ Training	\$ 3,000
♦ Promotions	\$18,500
♦ Contingency	<u>\$10,000</u>
TOTAL	\$90,500

4. **The proposed boundaries designated by map or perimeter description of an Economic Improvement District within which subject properties would be assessed to finance the cost of the economic improvement;**

Attachment 1 identifies the Tigard Central Business District Boundaries and the boundaries of the proposed EID/BID which are one in the same.

5. **The proposed formula for assessing the cost of economic improvements against subject properties, which formula may be an assessment based on the assessed value or area of the property involved, or a surcharge on the business tax on any business, trade, occupation or profession carried on or practiced in the Economic Improvement District, or both;**

TCBDA is proposing a separate assessment for commercial property and business owners. Property assessment would be based upon the acreage of the property and whether they are on or off of Main Street and range from a low of \$118 - \$804 per year. Businesses would be assessed \$132 - \$170. The formula established a 25% differential for properties and businesses on and off Main Street. Main Street businesses and properties benefit to a higher degree than those off of Main Street and, therefore pay the higher rate.

6. **A statement whether the property assessment will be a voluntary assessment or mandatory assessment;**

Assessments would be mandatory.

- 6.B. **If mandatory, that the assessment will be considered a tax under the Oregon Constitution, Article XI Section 11(b) and may be reduced to fit within the property tax limitation, thereby affecting the level and scope of services described;**

The consolidated tax rate for downtown Tigard is \$6.4522, which is below the \$10.00 limit. The proposed assessment for the Economic Improvement District when combined is the consolidate tax rate remains below the limitation.

7. If applicable, information about the organization requesting the creation of the Economic Improvement District;

The Tigard Central Business District Association was formed on October 14, 1998 for the purpose of promoting the economic health and development of the Central Business District of Tigard. Regular updates on the activities and efforts of the Association have been reported to the Council since their formation.

8. Reasons why the Economic Improvement District should be created;

It is an opportune time for downtown revitalization in Tigard through partnership efforts of the Tigard Central Business District Association (TCBDA) and the City. The downtown is experiencing a recent, and notable reinvestment in commercial properties. Other opportunities are emerging as well. This type of reinvestment shows belief in and commitment to the city's central core as a place to do business. The City has shown its commitment in the downtown by providing support to TCBDA. The Economic Improvement District creates a long-term partnership with business and commercial property owners for the continued strengthening of Tigard's downtown.

9. If applicable, a list of anticipated agreements between the proposed Economic Improvement District and other organizations;

Not applicable.

10. The administration fee, if any, to be paid to the City for administering the Economic Improvement District.

Funding for the TCBDA would come from four areas. Commercial property owners would contribute \$26,667, business owners would contribute \$26,667, and promotions would generate \$10,000. The City's contribution is estimated at \$26,667. However, should the City want to recover the costs for coordinating the billing of assessments, an additional \$874 would need to be charged annually. Total business and commercial property owner assessments would increase to \$27,104 respectively. The cost is for billing and receipting of assessments, and does not address any efforts to collect any delinquent accounts.

Other considerations for creating an EID/BID

- ♦ **An EID may be an assessment on the value of the property or in may be a fee paid by property owners. The assessments cannot exceed 1% of the total assessed value of properties within the district.**

Total assessment value of the commercial properties within in the TCBDA equals \$51,938,390. One percent of the assessed value equals \$519,383.90. The total assessment proposed is \$26,667.

- ♦ **Only commercial properties may be assessed within the district. Prorating is required for mixed-use properties containing residential uses.**

Only commercial properties or portions of mixed-use properties containing residential uses and businesses will be assessed under the proposed funding method.

- ♦ **EID assessments may not include property in residential use.**

Residential properties will not be assessed.

- ♦ **The EID must be established through City Council process.**
 - ❖ Two formal hearings are held by the City Council.
 - ❖ Written objections called remonstrance from owners of 33% of the property upon which the total amount of assessment is levied stops the EID process.

Two formal hearings will be held by Council to consider the formation of an EID/BID. The first will be held on July 10, 2001. The second is tentatively scheduled for August 14, 2001, at which time written remonstrances will be tallied in accordance to statute.

Summary and Recommendation

The Tigard Central Business District Association was formed in 1998 in an effort to promote and revitalize the downtown. Stable funding is critical for their continued success. The proposed Economic Improvement District establishes a framework for the TCBDA to continue their efforts. Staff recommends that Council proceeds with formation of the district and schedules the second public hearing.



MEMORANDUM

CITY OF TIGARD

TO: City Council

FROM: Jim Hendryx

DATE: July 31, 2001

SUBJECT: Letters of Remonstrance

Attached are the letters of remonstrance for the Economic Improvement District that we have received as of July 27th. I expect to receive more letters as property and business owners may send them up to and including the City Council hearing on August 14th.

REC'D JUL 26 2001

To: Mr. James N.P. Hendryx, Director of Community Development
City of Tigard
13125 SW Hall Boulevard
Tigard, OR 97223

I, LARRY BARKLEY, DBA A ANTIGUE BARBERS located at 12290 SW MAIN ST. A-2
TIGARD, OR 97223

Remonstrate against forming and being assessed for the proposed Business Improvement District.

BUSINESS OWNER

Signed
Date

Larry A. Barkley
July 24 2001

808

TO: Mr. James N.P. Hendryx, Director of Community Development
City of Tigard
13125 SW Hall Boulevard
Tigard, OR 97223

REC'D JUL 25 2001

I, Green Valley Develop., owner of property and or properties located at _____
9540 SW Tigard ST and 9460 Sw Tigard St
2S102BA01000 2S102AB01800

Remonstrate against forming and being assessed for the proposed Economic Improvement District.

Green Valley Development, LLC

Signed by Larry Nelson

Date July 23, 2001

PROPERTY OWNER

To: Mr. James N.P. Hendryx, Director of Community Development
City of Tigard
13125 SW Hall Boulevard
Tigard, OR 97223

REC'D JUL 27 2001

I, Robert K. Kunkel DBA Night Movers Inc located at _____
9900 SW TIGARD ST. TIGARD, OR. 97223

Remonstrate against forming and being assessed for the proposed Business Improvement District.

Signed Robert K. Kunkel

Date 7/24/01

BUSINESS OWNER

TO: Mr. James N.P. Hendryx, Director of Community Development
City of Tigard
13125 SW Hall Boulevard
Tigard, OR 97223

REC'D JUL 26 2001

I, Phillip A. Cohn, owner of property and or properties located at 9800,
9820, 9900-9914 Tigard Street and _____
9832

Remonstrate against forming and being assessed for the proposed Economic Improvement District.

Signed Phillip A. Cohn

Date July 24, 2001

PROPERTY OWNER

REC'D JUL 25 2001

To: Mr. James N.P. Hendryx, Director of Community Development
City of Tigard
13125 SW Hall Boulevard
Tigard, OR 97223

I, Larry Stickles, DBA L & S Printing located at 8900 SW Burnham Street - Suite E6 - Tigard, OR 97223

Remonstrate against forming and being assessed for the proposed Business Improvement District.

BUSINESS OWNER

Signed [Signature]

Date 7/23/01

JMS

TO: Mr. James N.P. Hendryx, Director of Community Development
City of Tigard
13125 SW Hall Boulevard
Tigard, OR 97223

REC'D JUL 25 2001

I, Scott Cress - Dana Cress, owner of property and or properties located at 9966 SW Katherine St. and

Remonstrate against forming and being assessed for the proposed Economic Improvement District.

Signed [Signature]

Date July 21, 2001 July 21, 2001

JMS

PROPERTY OWNER

To: Mr. James N.P. Hendryx, Director of Community Development
City of Tigard
13125 SW Hall Boulevard
Tigard, OR 97223

REC'D JUL 25 2001

I, Scott Cress, DBA W. H. Cress Co. Inc located at 9966 SW Katherine St.

Remonstrate against forming and being assessed for the proposed Business Improvement District.

Signed [Signature]

Date July 21, 2001

President

BUSINESS OWNER

JMS

REC'D JUL 24 2001

To: Mr. James N.P. Hendryx, Director of Community Development
City of Tigard
13125 SW Hall Boulevard
Tigard, OR 97223

I, BRIAN DONNELL DBA CRAFTSMEN PRINT. located at 8900 SW BURNHAM, F-21

Remonstrate against forming and being assessed for the proposed Business Improvement District.

BUSINESS OWNER

Signed

Date

Brian Donnell
7-21-01

JMB

REC'D JUL 24 2001

To: Mr. James N.P. Hendryx, Director of Community Development
City of Tigard
13125 SW Hall Boulevard
Tigard, OR 97223

I, Mara Kreick DBA Fanno Creek Merc. located at 12285 SW Main

Remonstrate against forming and being assessed for the proposed Business Improvement District.

BUSINESS OWNER

Signed

Date

Mara Kreick
7-21-01

JMB

REC'D JUL 25 2001

To: Mr. James N.P. Hendryx, Director of Community Development
City of Tigard
13125 SW Hall Boulevard
Tigard, OR 97223

I, BARRY SHEENSGREEN DBA OFFICE SYSTEMS REPAIR located at 9532 SW Tigard St. Tigard OR 97223

Remonstrate against forming and being assessed for the proposed Business Improvement District.

BUSINESS OWNER

Signed

Date

Barry Sheensgreen
7-23-01

JMB

To: Mr. James N.P. Hendryx, Director of Community Development
City of Tigard
13125 SW Hall Boulevard
Tigard, OR 97223

REC'D JUL 24 2001

I, PAGE STEVENS, DBA STEVENS MARINE located at 9180
SW BURNHAM ST TIGARD OR 97223

Remonstrate against forming and being assessed for the proposed Business Improvement District.

BUSINESS OWNER

Signed 

Date 7-23-01

TO: Mr. James N.P. Hendryx, Director of Community Development
City of Tigard
13125 SW Hall Boulevard
Tigard, OR 97223

I, PAGE STEVENS, owner of property and or properties located at 9180
SW BURNHAM ST, TIGARD and OR 97223

Remonstrate against forming and being assessed for the proposed Economic Improvement District.

PROPERTY OWNER

Signed 

Date 7-23-01

JNB

JNB

To: Mr. James N.P. Hendryx, Director of Community Development
City of Tigard
13125 SW Hall Boulevard
Tigard, OR 97223

REC'D JUL 24 2001

I, PAGE STEVENS, DBA ADVANCED MARKETING SOLUTIONS located at 12360 SW MAIN ST. TIGARD OR 97223

Remonstrate against forming and being assessed for the proposed Business Improvement District.

BUSINESS OWNER

Signed [Signature]

Date 7-23-01

JNS

TO: Mr. James N.P. Hendryx, Director of Community Development
City of Tigard
13125 SW Hall Boulevard
Tigard, OR 97223

I, PAGE STEVENS, owner of property and or properties located at 12360 SW MAIN ST TIGARD OR and 97223

Remonstrate against forming and being assessed for the proposed Economic Improvement District.

Signed [Signature]

Date 7-23-01

PROPERTY OWNER

JNS

REC'D JUL 24 2001

To: Mr. James N.P. Hendryx, Director of Community Development
City of Tigard
13125 SW Hall Boulevard
Tigard, OR 97223

I, PAGE STEVENS, DBA STEVENS MARINE located at 9171 SW
BURNHAM ST, TIGARD, OR 97223

Remonstrate against forming and being assessed for the proposed Business Improvement District.

BUSINESS OWNER

Signed 

Date 7-23-01

JNB

TO: Mr. James N.P. Hendryx, Director of Community Development
City of Tigard
13125 SW Hall Boulevard
Tigard, OR 97223

I, PAGE STEVENS, owner of property and or properties located at 9171 SW
BURNHAM ST, TIGARD, OR and 97223

Remonstrate against forming and being assessed for the proposed Economic Improvement District.

PROPERTY OWNER

Signed 

Date 7-23-01

JNB

A ANTIQUE BARBERSHOP

testimony
for 7/10/01
Council mtg.

C: Council
Bill Monahan
Jim H.

12290 SW Main St.
Tigard, OR 97223
Phone: 503-684-3042
E-mail: twobarkleys@earthlink.net

RECEIVED C.O.T.

JUL 09 2001

Administration

July 09, 2001

Tigard City Council
13125 SW Hall Blvd.
Tigard, OR 97223

In Regards to the Creation of an Economic Improvement District

To the City Council,

We have in hand the proposed program for the Tigard Central Business District Association and would like to comment on each of these issues.

1. Two part time positions - Downtown Manager and administrative support

These are paid positions that we feel are of no benefit to us in our business. We are fully capable of managing and administrating our own business.

2. Professional assistance from ODDA (Oregon Downtown Development Association)

We don't need or want assistance from this group.

3. Flower baskets and street beautification

This does nothing to promote our business or draw people to the down town area.

4. Increased recognition of Business Community

Good service and fair trade practices are the only way to have lasting recognition. This is the job of each individual business. The cost of advertising and promotion is the responsibility that comes with making a business successful. If individual businesses can't take this on themselves, this organization will not help.

7/9/01

5. Training seminars for businesses

There are a lot of business seminars available to anyone who wants to learn how to better run their business. It is not our job to finance this effort for others.

6. Promotions (Easter, Sidewalk Sale, Halloween, Christmas, and Tigard Blast)

These promotions cost our business more in lost revenue than we are able to ever recover. The limited parking is obstructed and traffic is blocked off so our customers can't even get to our business. The Tigard Blast is causing us to close down completely for two of our normal work days due to lack of access to our building and parking. These are the two busiest days of the week in our business. We have only heard from one business on Main Street that sees this as a benefit to their business. And that business commandeers someone else's parking lot for the week-end instead of using their own. None of these promotions are a benefit to us.

7. Clean and safe activities

This term means nothing!

8. Streetscape Amenities

We have only one street to work with. We have benches, Welcome to Tigard signs and sidewalks. The only public property is possibly the center divider (which is a traffic hazard) at Tigard Street that the city does not maintain and the little parks at each end of Main Street. The few waste receptacles are an eyesore and not effective. If each business would be responsible for cleaning up their own frontage or the city would take some responsibility in this area, it could be easily handled.

We attended the last meeting of the Tigard Central Business District Association and listened to the concerns of Off Main Street businesses. They don't feel this association would be of any benefit to them and are against any assessment to finance it. Because of their property size, they would be carrying the biggest financial load. We agree with their argument. If they have concerns about street improvements or any other issue, they are free to go directly to the city council.

We heard the city had given the association in excess of \$26,000 that we feel would have been better spent on litter control and parking options. Without improved parking in the downtown corridor we feel this organization is purely for the benefit of two paid positions.

The association wants to use the assessments to promote UPSCALE businesses such as STARBUCKS with no regard for the five expresso businesses already located on Main Street. Do they even know where they are? They talk about UPSCALE restaurants without regard to the fine restaurants we already have. They want at least four events a year that cost us business and income and want us to

finance them with our business income and our city taxes. At the same time giving lip service to promoting the already established businesses. This is a contradiction.

If city taxes are going to be used for this purpose, the city tax payers should have a say in it. What is the city giving to all the other Tigard business areas? They all pay city taxes and buy city licenses and are entitled to as much attention. The downtown is no longer THE central business district. If there needs to be a Business District Association it needs to encompass the entire city.

We are emphatically against this organization that is being formed on the pretense of helping us. We feel the city needs to take on the issues of parking and litter, using the money it is giving away to be squandered on administrative costs for a new organization. We feel this is the elected job of the city council. Volunteer Committees can be of use in these issues. It looks like there are at least eleven volunteers all ready to serve.

A ANTIQUE BARBERSHOP

Owners: Larry and Carolyn Barkley

JPB

.....YOU HAVE TO BE KIDDING.....

.....YOU HAVE TO BE KIDDING.....

.....YOU REALLY HAVE TO BE KIDDING.....

FROM: HILLERS EMBLEM SHOP
12537 S.W. MAIN ST.
i.e. Tom Hiller (503) 620-6666

NO.....NO....NO....NO....NO....NO....NO....NO....NO....NO

In regards to the issue of taxing, "Downtown" businesses,
the question is WHAT??? WHY??? WHAT-FORE???.....

This town has a "Chamber of Commerce" and what you
propose should be the chambers responsibility.....or why
do we have a chamber.....????

Lets address your PROPOSED PROGRAM.....

1. 2 PART TIME POSITIONS?????.....PAID???.....NOT.....

This is NOT a good idea....

2. This is the same thing as # 1?????

3. We already HAVE THE FLOWER BASKETS, and exactly
how beautiful can the streets be????? come on.....

4. Increase Recognition of the Business Community....

If the general public have a need, they will hear (or)
look for what they want, thru "word of mouth" and/or
other advertisement by the business community.....

5. Training seminars for businesses.....

Training for what???.....most businesses either know
how to conduct business, or won't be around long.....

6. Promotions (etc etc etc).....This is part of the
chambers of commerce responsibility.....

7. Clean and save activities.....

JMB

Did these people run out of THINGS to write down???

This makes no sence AT ALL.....

8. Streetscape Amenities.....

Help me out here.....

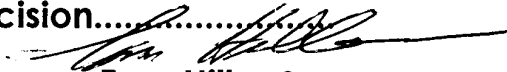
SUMMARY:

Sorry but this make absolutely NO SENCE....

Is someone looking for a job???.....I'm not sure who went to all the trouble to try and push this thru.....and at

\$200.00.....We pay the city \$50.00 a year for our business tax, and now you want 4 times this amount for the above listed items (which makes no sence AT ALL).....I'm sorry...

I have been proud to have had my business in Tigard for 25 years, BUT if this passes, I promise, I will move my business, to a new location, and the downtown association, will be looking at yet another empty area.....Please don't make US make that decision.....



Tom Hiller & crew

Hillers Emblem Shop

Since 1977

P.S. We at the West end of main realizing that businesses have a right; "to do business", but we have a concern that should be addressed, and that is, LABOR READY..... they attract a number of STRANGE PEOPLE with STRANGE CARS?, which really plugs up the west end of main street, and for most of the day.....



Mike Stevenson
President of B & B Print Source ✱
And owner of property at 9040 S.W. Burnham Street ✱
Tigard, Oregon 97223
503-639-9835

While I believe there needs to be some type of Downtown Plan; as it stands now I cannot support the Downtown Redevelopment Plan for the following reasons:

1. We need to define what we consider is the Downtown. What exactly are we calling Downtown? Who are we appealing to in our plan? Is this primarily for a retail emphasis, or is it a mix if retail or wholesale? As it stands now I think it is primarily for the retail members of the downtown area only with limited benefit to the other members of our area. I think it is also designed primarily for the businesses on Main Street.
2. What is the City of Tigard's goal for Downtown? Where is the future of Downtown going in relation to the City of Tigard's plan for the area? This needs to be defined before we go too far. What is the vision of Downtown? Are we going to have the same limited access to Downtown in the future as we have now, or is access going to eventually expand with the Huntziker extension going thru to Ash Street by my business? Will we eventually have access to Downtown from the Dartmouth Street area with a bridge over 217?
3. Why are the splinter streets included in this plan at all? Why Tigard Street with its warehouses? Why Burnham Street with warehouses, manufacturing, and limited retail? Commercial Street has many businesses that aren't retail services. Why the trailer park behind the post office? Why apartment houses?
4. The City of Tigard is sending mixed messages to the area with its proposed improvement of Burnham Street. No parking is being planned. Two bicycle lanes will be provided even though we have a bicycle/walking path that parallels Burnham in the Fanno Creek wetlands. Just how is the City justifying eliminating or discouraging parking in an area they are designating as a downtown area?

I want this to be a positive response to your inquiry so I am proposing the following changes to the Downtown Plan. Here is what I think should be included in the plan.

1. A Downtown Redevelopment Plan should be for Main Street only for now. Other properties within the immediate area should be included on volunteer basis only.
2. The City of Tigard must take a more active role in defining what it wants for a Civic Center. Should it be in the Downtown area? Should it include the new library? Should it include more access to the wetland area around Fanno Creek? What are the City's plans for the commuter rail?

JMS

3. No work on side streets (Burnham Street improvements) should be started until the City of Tigard knows what it wants for the side streets. Retail or retail wholesale mix?
4. No side street property owner or business should be assessed unless it is on a volunteer basis at the present time.
5. The City should investigate whether funding is available from Metro, the State, and the Federal government to coordinate urban renewal funding or grants for the goals of the Downtown area.
6. Some of the goals of the plan should be shifted to other entities. Shouldn't the Chamber of Commerce have a sub-chapter specifically for the Downtown area? Shouldn't they be in charge of the selling proposed baskets instead of taxing business property owners through some government agency?

MSB



Emmert Machining Company

9446 S. W. Tigard Street
Tigard, OR 97223
PH. (503) 620-3831
FAX (503) 620-2851

REC'D JUL 19 2001

July 18, 2001

City of Tigard
Mr. Jim Hendryx
13125 SW Hall Blvd.
Tigard, OR 97223

RE: Economic Improvement District - PROPOSED FEE

Dear Mr. Hendryx:

The boundaries that you show encompassing E. I. D. is mostly industrial.

Your proposed E. I. D. Program Services are NOT desired.

Though you label E. I. D. as *not a part of government*, it is....no matter how you "flower" it.

Once a district is established with corresponding fees, the business owners have no say in or control of the fees.

NO, we do not want another money-sucking mini METRO.

Very truly yours,

EMMERT MACHINING CO.


J. Franklin Emmert
Owner

JMB

Carl H. Johnson
8965 SW Burnham Street
Tigard, OR 97223
503-684-9085

July 10, 2001

Re: Hearing July 10, 2001 - Item #9 EID/BID

City Council Staff
City of Tigard
13125 SW Hall Boulevard
Tigard, OR 97223

Dear City Council Staff,

This proposal offers nothing that is not now available from existing sources except new funding of salaries. If those positions are to provide ideas, why not use those we are paying already- namely city staff. Help on the rest of the program *professional assistance* through *street amenities* is readily available through a number of Federal government programs, Small Business Administration, Chamber of Commerce, and city staff, etc. If we need a coordinating office, that should be the city's responsibility.

Retailing is primarily a time and place utility. For this and other reasons, our shopping dollar goes mostly to big stores along Highway 99 West or I-5. It is hard for downtown Tigard to compete. None of the suggested program would help materially.

Clustering of like businesses, locating medical/dental offices here, specialty shops not found in big stores, and kind of businesses that people will go out of their way for would be very beneficial. But that is the Chamber of Commerce's job after finding out a direction from the city.


The City Council's action approving \$5.8 million program opens LIDs that buy something substantial and long lasting. The subject proposal of an EID/BID does not.

I urge you to disapprove this proposal.

It is sad to see the Oregon Downtown Development Association recommend you avoid efforts to change their proposal. That is tantamount to making a sham of this hearing.

In any event, contributions by property owners should be voluntary.

Sincerely,


Carl H. Johnson
CHJ/mjg



REC'D JUL 19 2001

9744 SW Tigard Street . Tigard, Oregon 97223 (503) 968-6993



Engineered Automation

July 18, 2001

Mr. Jim Hendryx
Community Development Director
City of Tigard
13125 SW Hall Blvd.
Tigard, OR 97223

RE: Formation of an Economic Development District in Downtown Tigard

Dear Mr. Hendryx:

In response to your "Notice to Business Owners of Public Hearing" dated July 13, 2001, I am registering my objection to the proposed tax surcharge to support the Economic Development District (EID) in Downtown Tigard.

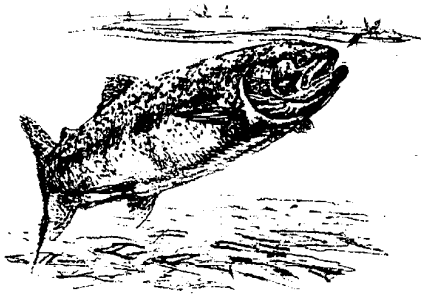
Like many companies in the proposed impact (surcharged) area, RAPID4mation Inc. is an industrial business with a leased facility. As such, we have no "drop-in" business or real property appreciation which might be beneficially impacted by the EID. Our business is not enhanced by any of the activities outlined in the letter and in fact might be adversely affected by increased traffic and street closures for special events. Business recognition and training are available from a multitude of existing sources and do not require duplication. It appears the primary beneficiaries of the EID will be the retail businesses on or near Main Street that depend heavily on drive-in or drive-by traffic. While I wish my fellow Tigard business owners well, I choose not to subsidize their business improvements at the expense of my own.

Sincerely,

A handwritten signature in cursive script that reads "Gary McKenzie".

Gary McKenzie
President
RAPID4mation Inc.

AWR



Kaufmann's Streamborn, Inc.

EVERYTHING FOR THE FLY FISHER

Mail Order Address: P. O. Box 23032 Portland, Oregon 97281-3032

Phone (800) 442-4359/(503) 639-6400 Fax (503) 684-7025

E-Mail: Kaufmann's@kman.com Web: <http://www.kman.com>

Tigard, Oregon Store: 8861 S. W. Commercial St. 97223 (503) 639-7004

RECEIVED C.O.T.

MAY 15 2001

Administration

May 14, 2001

City of Tigard
Bill Wadman
13125 SW Hall Blvd
Tigard Or 97223

Dear Mr Wadman:

We have received your letter in regard to a proposed EDI district whereby local businesses would be taxed to cover this cost. **We are adamantly against this proposal.** We are already overtaxed and see no reason to create another agency to collect monies from businesses. We are a specialty destination retail business and nothing the EDI could do would increase our sales, unless you can reduce the traffic by 50%.

Please make this letter a part of the hearing record.

Sincerely,

A handwritten signature in dark ink, appearing to read "Randall Kaufmann". The signature is fluid and cursive, with the first name "Randall" being more prominent than the last name "Kaufmann".

Randall Kaufmann

GREEN VALLEY DEVELOPMENT, LLC

10585 S.W. Walnut, Tigard, OR 97223 Tele#: 503-620-2684 Fax#: 503-620-5224

May 17, 2001

City of Tigard
Tigard Central Business District Assoc.
13125 SW Hall Blvd.
Tigard, OR 97223

ATTN: Bill Wadman, Downtown Manager
 Jim Hendryx, City of Tigard
 Tyler Ellenson
 Kate Dormer

RE: ECONOMIC IMPROVEMENT DISTRICT (EID)

We would like to address the situation relevant to your mailer on the above referenced subject.

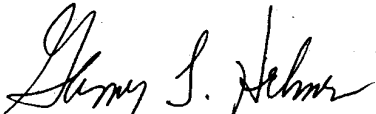
Your mailer states that this is not another government program and is to be run by volunteers from the business community. If this is true, then there is no need for any paid officials or staff to administer it. Also, if you intend to assess a tax, then we assume that this is a government program and in that case all of the residence and businesses of Tigard should be charged, not just a select few.

Our properties in question, located on Tigard Avenue, are not considered "Down Town" facilities. The properties are considered industrial and the business tenants are not Retail. There would be no foot traffic or any other customer interaction from the Down Town area. There would be no benefit from "Recognition or Promotions" and least of all "Training Seminars". Our locations would not benefit from any of the "Proposed Program" amenities.

We feel this whole program would be a waist of local business's money. Therefore, we DO NOT APPROVE of your proposed creation of an EID or assessment/business tax surcharge.

Sincerely,

GREEN VALLEY DEVELOPMENT, LLC



Garry L. Helmer,
Managing Partner

SHB

July 15, 2001

REC'D JUL 23 2001

Jim Hendryx
Community Development Director
13125 SW Hall Blvd.
Tigard, OR 97223

In reply to: letter dated July 13, 2001, regarding EID's.


Due to your ability to raise our EID assessment to as much as 1% of our assessed value once this passes we are NOT in support of this proposal. \$350.00 per year is one thing we would consider. But, with you having the right to raise it to 1% (or \$3913.00 for example Nov, 2000), according to our property assessment once this passes, you have the freedom to choose, we are NOT in favor of this.

Our commercial building does not have any benefit to having the main street of Tigard gorgeous. The current way of keeping Tigard is satisfactory to our needs as a property owner.

Based on what information given in this July 13, 2001 notice of the EID, our vote would be NO to this proposal.

So please make our vote noted as a NO vote for the August 14th City Council Meeting.

Sincerely,



Douglas M. Seeber
Dennis Balzer
2S102BA00800
See-Zer Properties
12155 SW Grant St.
Tigard, OR 97223

Mailing address: See-Zer Properties
14960 SW Tualatin-Sherwood Rd., Suite 106
Sherwood, OR 97140

ms



REC'D JUL 24 2001

9908 SW Tigard Street, Tigard, OR 97223
503.639.4192 Fax: 503.684.1515 www.barriercorp.com

July 23, 2001

City of Tigard
Attention: Jim Hendryz
13125 S.W. Hall Blvd.
Tigard, Oregon 97223

Dear Mr. Hendryz:

As owner of Barrier Corporation, I do not favor a tax surcharge on Barrier Corporation through the formation of a Business Improvement District.

Barrier Corporation is not a retail business. We are a manufacturer with minimum local contact with our customers.

We do not feel monetary support of a downtown revitalization effort will enhance any aspect of our business.

Regards,

A handwritten signature in black ink, appearing to read "Mark E. Dove". The signature is stylized with a long horizontal line extending from the end.

Mark E. Dove, President
Barrier Corporation

MED/lid

JMB



Prudential

Prudential California Realty

2920 Canon Street
San Diego, CA 92106
Bus 619 222-0555
Fax 619 224-8540

REC'D JUL 24 2001

JAMES CASTILE

*City of Tigard
13124 S.W. Hall Blvd.
Tigard, Oregon 97223*

ATT: Jim Hindryx

RE: Notice of Public Hearing August 14, 2001

As the property that we own is clear on the end of the zone, and it is zoned industrial, I see no need to include this in the EID. This is property that will not necessarily need public attention drawn to it, as I would believe that it would be used for business purposes only. Unless there's something I'm not seeing, I vote no on this issue in regards to our property.

Thank you,

Jim Castile

Which property?

**Jim Hendryx
City of Tigard
13125 SW Hall Blvd.
Tigard, OR 97223**

REC'D JUL 23 2001

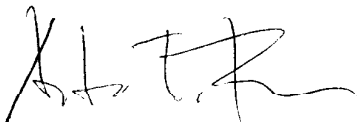
July 20, 2001

RE: Proposed Business Tax Surcharge

Dear Mr. Jim Hendryx:

I am writing to be counted as objecting to the assessment (surcharge) . I believe the proposed business tax surcharge is too a high surcharge to be imposed on small businesses as such myself. In my line of business, I would not benefit from the Economic Improvement District since my primary customers come to me direct from the Internet.

Sincerely,



Antonio I. Flores
President
Softek Consultants, Inc.

12430 SW MAIN ST.
TIGARD, OR. 97223

Handwritten mark

REC'D JUL 24 2001

To: Mr. James N.P. Hendryx, Director of Community Development
City of Tigard
13125 SW Hall Boulevard
Tigard, OR 97223

I, MARGARET P. HENRY, DBA HENRY TREE SERVICE located at 8900 SW BURNHAM SUITE 105

Remonstrate against forming and being assessed for the proposed Business Improvement District.

BUSINESS OWNER

Signed

Date

Margaret P. Henry
7/23/01

JAB

TO: Mr. James N.P. Hendryx, Director of Community Development
City of Tigard
13125 SW Hall Boulevard
Tigard, OR 97223

I, _____, owner of property and or properties located at _____
and _____

Remonstrate against forming and being assessed for the proposed Economic Improvement District.

Signed _____

Date _____

PROPERTY OWNER

This letter is in regards to the recent notice you have received on the formation of the Economic Improvement District (EID) and on the Business Improvement District (BID) from the City of Tigard. Tigard Central Business District Association (TCBDA) is proposing an assessment on both property owners and business owners.

If you are both, you pay both! If you do not want to pay, fill out, sign, and detach appropriate section and return to Mr. James Hendryx at the above address to be received by August 14, 2001. If you have received more than one of these letters, you have more than one property or business to be assessed. Please remonstrate each. These mailers were compiled from City of Tigard EID and BID fee tracking sheets. Concerned business people of Tigard:

Dick Miller, Miller Automotive Service 503-639-3225

Forrest H. Johnson, Armature Coil Company 503-620-9444

Larry & Carolyn Barkley, Antique Barber Shop 503-624-0149 (EVENINGS ONLY)

REC'D JUL 24 2001

To: Mr. James N.P. Hendryx, Director of Community Development
City of Tigard
13125 SW Hall Boulevard
Tigard, OR 97223

I, _____, DBA _____ located at _____

Remonstrate against forming and being assessed for the proposed Business Improvement District.

BUSINESS OWNER

Signed _____
Date _____

TO: Mr. James N.P. Hendryx, Director of Community Development
City of Tigard
13125 SW Hall Boulevard
Tigard, OR 97223

I, Tigard Manor Holdings & Tigard Terrace Holdings, LLC's, owner of property and or properties located at 12430 SW 15th
and 12345 SW 14th

Remonstrate against forming and being assessed for the proposed Economic Improvement District.

I have heard
we will not be
taxed, however,
I want

Signed [Signature]
Date 7-23-01

PROPERTY OWNER

[Signature]

you to
know
I am
against any
new taxes
period.

This letter is in regards to the recent notice you have received on the formation of the Economic Improvement District (EID) and on the Business Improvement District (BID) from the City of Tigard. Tigard Central Business District Association (TCBDA) is proposing an assessment on both property owners and business owners.

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Dick Miller, Miller Automotive Service 503-639-3225
Forrest H. Johnson, Armature Coil Company 503-620-9444
Larry & Carolyn Barkley, Antique Barber Shop 503-624-0149 (EVENINGS ONLY)

ALLIANCE PROPERTIES
4280 SW 109TH AVE.
BEAVERTON, OR 97005-3027

(503) 350-1200

[Signature]

REC'D JUL 24 200

To: Mr. James N.P. Hendryx, Director of Community Development
City of Tigard
13125 SW Hall Boulevard
Tigard, OR 97223

I, Bryan L. Parrish, DBA Oswego Drywall Installers located at 9460 Tigard St. Suite 100

Remonstrate against forming and being assessed for the proposed Business Improvement District.

BUSINESS OWNER

Signed
Date

Bryan L. Parrish
7/23/01

TO: Mr. James N.P. Hendryx, Director of Community Development
City of Tigard
13125 SW Hall Boulevard
Tigard, OR 97223

I, _____, owner of property and or properties located at _____
and _____

Remonstrate against forming and being assessed for the proposed Economic Improvement District.

Signed
Date

PROPERTY OWNER

This letter is in regards to the recent notice you have received on the formation of the Economic Improvement District (EID) and on the Business Improvement District (BID) from the City of Tigard. Tigard Central Business District Association (TCBDA) is proposing an assessment on both property owners and business owners.

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Dick Miller, Miller Automotive Service 503-639-3225

Forrest H. Johnson, Armature Coil Company 503-620-9444

Larry & Carolyn Barkley, Antique Barber Shop 503-624-0149 (EVENINGS ONLY)

REC'D JUL 24 2001

To: Mr. James N.P. Hendryx, Director of Community Development
City of Tigard
13125 SW Hall Boulevard
Tigard, OR 97223

I, _____, DBA _____ located at _____

Remonstrate against forming and being assessed for the proposed Business Improvement District.

BUSINESS OWNER

Signed _____
Date _____

TO: Mr. James N.P. Hendryx, Director of Community Development
City of Tigard
13125 SW Hall Boulevard
Tigard, OR 97223

I, *Jamie H. Spahn* owner of property and or properties located at _____
and _____

9055 S.W. Boulevard

Remonstrate against forming and being assessed for the proposed Economic Improvement District.

Signed *Jamie H. Spahn*
Date 7-23-2001

PROPERTY OWNER

This letter is in regards to the recent notice you have received on the formation of the Economic Improvement District (EID) and on the Business Improvement District (BID) from the City of Tigard. Tigard Central Business District Association (TCBDA) is proposing an assessment on both property owners and business owners.

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Dick Miller, Miller Automotive Service 503-639-3225

Forrest H. Johnson, Armature Coil Company 503-620-9444

Larry & Carolyn Barkley, Antique Barber Shop 503-624-0149 (EVENINGS ONLY)

REC'D JUL 24 2001

To: Mr. James N.P. Hendryx, Director of Community Development
City of Tigard
13125 SW Hall Boulevard
Tigard, OR 97223

I, Douglas N. White, ^{an officer of} ~~FRY~~ Frye Electronics, Inc. located at 9826 SW Tigard
Street, Tigard, OR 97223

Remonstrate against forming and being assessed for the proposed Business Improvement
District.

BUSINESS OWNER

Signed [Signature] Treasurer
Date 7/23/01 GMB

TO: Mr. James N.P. Hendryx, Director of Community Development
City of Tigard
13125 SW Hall Boulevard
Tigard, OR 97223

I, _____, owner of property and or properties located at _____
and _____

Remonstrate against forming and being assessed for the proposed Economic
Improvement District.

Signed _____
Date _____

PROPERTY OWNER

*This letter is in regards to the recent notice you have received on the formation of the
Economic Improvement District (EID) and on the Business Improvement District
(BID) from the City of Tigard. Tigard Central Business District Association (TCBDA)
is proposing an assessment on both property owners and business owners.*

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These mailers were compiled from City of Tigard EID and BID fee tracking sheets.
Concerned business people of Tigard:*

Dick Miller, Miller Automotive Service 503-639-3225

Forrest H. Johnson, Armature Coil Company 503-620-9444

Larry & Carolyn Barkley, Antique Barber Shop 503-624-0149 (EVENINGS ONLY)

REC'D JUL 24 2001

To: Mr. James N.P. Hendryx, Director of Community Development
City of Tigard
13125 SW Hall Boulevard
Tigard, OR 97223

I, MDGENS JOHANSEN, DBA JTD, INC. located at 9000 SW TIGARD STREET TIGARD OR 97223

Remonstrate against forming and being assessed for the proposed Business Improvement District.

BUSINESS OWNER

Signed *Ch Hansen*

Date 7-23-01

7/23

TO: Mr. James N.P. Hendryx, Director of Community Development
City of Tigard
13125 SW Hall Boulevard
Tigard, OR 97223

I, _____, owner of property and or properties located at _____
and _____

Remonstrate against forming and being assessed for the proposed Economic Improvement District.

Signed _____

Date _____

PROPERTY OWNER

This letter is in regards to the recent notice you have received on the formation of the Economic Improvement District (EID) and on the Business Improvement District (BID) from the City of Tigard. Tigard Central Business District Association (TCBDA) is proposing an assessment on both property owners and business owners.

If you are both, you pay both! If you do not want to pay, fill out, sign, and detach appropriate section and return to Mr. James Hendryx at the above address to be received by August 14, 2001. If you have received more than one of these letters, you have more than one property or business to be assessed. Please remonstrate each. These mailers were compiled from City of Tigard EID and BID fee tracking sheets. Concerned business people of Tigard:

Dick Miller, Miller Automotive Service 503-639-3225

Forrest H. Johnson, Armature Coil Company 503-620-9444

Larry & Carolyn Barkley, Antique Barber Shop 503-624-0149 (EVENINGS ONLY)

REC'D JUL 24 2001

To: Mr. James N.P. Hendryx, Director of Community Development
City of Tigard
13125 SW Hall Boulevard
Tigard, OR 97223

I, Hilde Frey, DBA Under Water World located at 12170 SW Main St
Tigard, OR

Remonstrate against forming and being assessed for the proposed Business Improvement District.

BUSINESS OWNER

Signed

Date

Hilde Frey
7-23-01

ms

TO: Mr. James N.P. Hendryx, Director of Community Development
City of Tigard
13125 SW Hall Boulevard
Tigard, OR 97223

I, Hilde Frey, owner of property and or properties located at 12170 SW Main St.
Tigard, OR and _____

Remonstrate against forming and being assessed for the proposed Economic Improvement District.

PROPERTY OWNER

Signed

Date

Hilde Frey
7-23-01

ms

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Dick Miller, Miller Automotive Service 503-639-3225

Forrest H. Johnson, Armature Coil Company 503-620-9444

Larry & Carolyn Barkley, Antique Barber Shop 503-624-0149 (EVENINGS ONLY)

REC'D JUL 24 2001

To: Mr. James N.P. Hendryx, Director of Community Development
City of Tigard
13125 SW Hall Boulevard
Tigard, OR 97223

I, FORREST H. JOHNSON, DBA ARMATURE COIL CO located at 8965 SW
BURNHAM ST. TIGARD, ORE - 97223

Remonstrate against forming and being assessed for the proposed Business Improvement District.

BUSINESS OWNER

Signed
Date

Forrest H. Johnson *JNB*
7-23-01

TO: Mr. James N.P. Hendryx, Director of Community Development
City of Tigard
13125 SW Hall Boulevard
Tigard, OR 97223

I, _____, owner of property and or properties located at _____
and _____

Remonstrate against forming and being assessed for the proposed Economic Improvement District.

Signed
Date

PROPERTY OWNER

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Dick Miller, Miller Automotive Service 503-639-3225

Forrest H. Johnson, Armature Coil Company 503-620-9444

Larry & Carolyn Barkley, Antique Barber Shop 503-624-0149 (EVENINGS ONLY)

To: Mr. James N.P. Hendryx, Director of Community Development
City of Tigard
13125 SW Hall Boulevard
Tigard, OR 97223

I, TERRY W. TARRANDAD DBA SAME located at 12290 SW
MEADOW ST #3A Tigard OR

Remonstrate against forming and being assessed for the proposed Business Improvement District.

BUSINESS OWNER

Signed [Signature]

Date 7/21/00

TO: Mr. James N.P. Hendryx, Director of Community Development
City of Tigard
13125 SW Hall Boulevard
Tigard, OR 97223

I, _____, owner of property and or properties located at _____
and _____

Remonstrate against forming and being assessed for the proposed Economic Improvement District.

Signed _____

Date _____

PROPERTY OWNER

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Dick Miller, Miller Automotive Service 503-639-3225

Forrest H. Johnson, Armature Coil Company 503-620-9444

Larry & Carolyn Barkley, Antique Barber Shop 503-624-0149 (EVENINGS ONLY)

July 13, 2001
FANNO CREEK MERCANTILE
12285 SW MAIN ST
TIGARD OR 97223

REC'D JUL 20 2001


CITY OF TIGARD
OREGON

NOTICE TO BUSINESS OWNERS OF PUBLIC HEARING

The City of Tigard is considering the creation of an Economic Improvement District (EID) in the Downtown Tigard Area. A Hearing will be held August 14, 2001 at 7:30pm in the Town Hall room of Tigard City Hall, 13125 SW Hall Blvd.

Dear owner of FANNO CREEK MERCANTILE:

This letter is being sent to you because, according to our records, you own a business within the proposed Economic Improvement District. This letter is to notify you of the hearing and of the fee you would pay as a business owner within this district if the Economic Improvement District is formed. Property that is zoned commercially but is currently being used exclusively for residential purposes is not subject to assessment.

At their July 10th meeting, the City Council announced that it was their intention to establish an Economic Improvement District in Downtown Tigard to assess property owners within the District and to impose a business tax surcharge on businesses within the District. The City Council set August 14th as a public hearing to officially accept, in writing, any objections from the property and business owners to the formation of the EID. The City Council also asked that each property and business owner be notified of the public hearing on August 14th, and to provide the information used to calculate the proposed annual assessment. Even if you have already provided written comments or oral testimony, to be counted as objecting to the assessment (surcharge) you must provide written objection with the City before the end of the August 14th hearing. Please send your objections to Jim Hendryx at the City of Tigard, 13125 SW Hall Blvd, Tigard, OR 97223. The following is the proposed business tax surcharge that your business would be required to pay.

For the Business at 12285 SW MAIN ST:
The proposed business tax surcharge is \$ 200.

If at the August 14th meeting the City Council receives written objections from more than 33% of those doing business within the proposed district, the City Council will not impose the business tax surcharge. Otherwise, the City Council may approve the final ordinance establishing the district, setting the business tax surcharge and requiring notices to be sent to business owners by October 31st, 2001. The Council may make minor adjustments at its final hearing and the surcharge may slightly differ from the amount listed above.

For your information, a fact sheet, a copy of the Economic Improvement District plan, and a description of the tax assessment schedule has been included with this letter. If you have any questions concerning the Economic Improvement District, please call Tyler Ellenson, President of the Tigard Central Business District Association at (503) 639-5588 or Jim Hendryx, Community Development Director at the City of Tigard at (503) 639-4171 ext. 405.

13125 SW Hall Blvd., Tigard, OR 97223 (503) 639-4171 TDD (503) 684-2772

AMB

Law Offices
FURRER & SCOTT LLC

Mailing Address: Post Office Box 23414, Tigard, Oregon 97281
Street Address: 9185 SW Burnham, Tigard, Oregon 97223
Telephone: (503) 620-4540
Facsimile: (503) 620-4315

Aaron L. Blakenship*
Patrick J. Furrer
Douglas L. Gallagher
Douglas R. Hookland*
Alan L. Mitchell
Thomas J. Murphy
Michael J. Scott

*Also admitted in Washington

RECEIVED C.O.T.
MAY 30 2001
Administration

May 29, 2001

Bill Wadman and Jim Hendryx
City of Tigard
13125 SW Hall Blvd.
Tigard, OR 97223

RE: Economic Improvement District, Public Hearing, June 12,
2001
Our File: Scott Hookland Real Estate Partnership

Dear Mr. Wadman and Mr. Hendryx:

This correspondence is to advise you that Scott Hookland Real Estate Partnership which is the owner of 9185 SW Burnham does not support an Economic Improvement District. It is opposed to the City Counsel implementing an Economic Improvement District which includes 9185 SW Burnham.

Very truly yours,


Michael J. Scott

MJS/mlw

JWB

July 13, 2001
BCS MACHINING
8900 SW BURNHAM ST E-21
TIGARD OR 97223



NOTICE TO BUSINESS OWNERS OF PUBLIC HEARING

The City of Tigard is considering the creation of an Economic Improvement District (EID) in the Downtown Tigard Area. A Hearing will be held August 14, 2001 at 7:30pm in the Town Hall room of Tigard City Hall, 13125 SW Hall Blvd.

Dear owner of BCS MACHINING:

This letter is being sent to you because, according to our records, you own a business within the proposed Economic Improvement District. This letter is to notify you of the hearing and of the fee you would pay as a business owner within this district if the Economic Improvement District is formed. Property that is zoned commercially but is currently being used exclusively for residential purposes is not subject to assessment.

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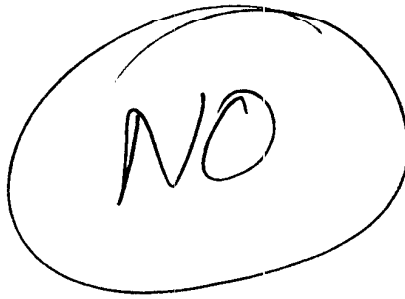
For the Business at 8900 SW BURNHAM ST:
The proposed business tax surcharge is \$ 100.

If at the August 14th meeting the City Council receives written objections from more than 33% of those doing business within the proposed district, the City Council will not impose the business tax surcharge. Otherwise, the City Council may approve the final ordinance establishing the district, setting the business tax surcharge and requiring notices to be sent to business owners by October 31st, 2001. The Council may make minor adjustments at its final hearing and the surcharge may slightly differ from the amount listed above.

For your information, a fact sheet, a copy of the Economic Improvement District plan, and a description of the tax assessment schedule has been included with this letter. If you have any questions concerning the Economic Improvement District, please call Tyler Ellenson, President of the Tigard Central Business District Association at (503) 639-5588 or Jim Hendryx, Community Development Director at the City of Tigard at (503) 639-4171 ext. 405.

Handwritten signature/initials

July 13, 2001
ROSE CITY CONTRACTING INC
PO BOX 230625
TIGARD OR 97223



NOTICE TO BUSINESS OWNERS OF PUBLIC HEARING

The City of Tigard is considering the creation of an Economic Improvement District (EID) in the Downtown Tigard Area. A Hearing will be held August 14, 2001 at 7:30pm in the Town Hall room of Tigard City Hall, 13125 SW Hall Blvd.

Dear owner of ROSE CITY CONTRACTING INC:

This letter is being sent to you because, according to our records, you own a business within the proposed Economic Improvement District. This letter is to notify you of the hearing and of the fee you would pay as a business owner within this district if the Economic Improvement District is formed. Property that is zoned commercially but is currently being used exclusively for residential purposes is not subject to assessment.

At their July 10th meeting, the City Council announced that it was their intention to establish an Economic Improvement District in Downtown Tigard to assess property owners within the District and to impose a business tax surcharge on businesses within the District. The City Council set August 14th as a public hearing to officially accept, in writing, any objections from the property and business owners to the formation of the EID. The City Council also asked that each property and business owner be notified of the public hearing on August 14th, and to provide the information used to calculate the proposed annual assessment. Even if you have already provided written comments or oral testimony, to be counted as objecting to the assessment (surcharge) you must provide written objection with the City before the end of the August 14th hearing. Please send your objections to Jim Hendryx at the City of Tigard, 13125 SW Hall Blvd, Tigard, OR 97223. The following is the proposed business tax surcharge that your business would be required to pay.

For the Business at PO BOX 230625:
The proposed business tax surcharge is \$ 100.

If at the August 14th meeting the City Council receives written objections from more than 33% of those doing business within the proposed district, the City Council will not impose the business tax surcharge. Otherwise, the City Council may approve the final ordinance establishing the district, setting the business tax surcharge and requiring notices to be sent to business owners by October 31st, 2001. The Council may make minor adjustments at its final hearing and the surcharge may slightly differ from the amount listed above.

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A handwritten signature, likely of Jim Hendryx, located in the bottom right corner of the page.

REC'D JUL 20 2001

July 19, 2001

Jim Hendryx
City of Tigard
13125 SW Hall Blvd.
Tigard, OR 97223

Dear Mr. Hendryx,

As owner of the property at 9171 SW Burnham St., Tigard, OR,
tax lot 2S102AB05301, I object to the assessment of \$180 for
the Economic Improvement District.

Sincerely,



Page Stevens

JMS

REC'D JUL 20 2001

July 19, 2001

Jim Hendryx
City of Tigard
13125 SW Hall Blvd.
Tigard, OR 97223

Dear Mr. Hendryx,

As owner of the property at 9180 SW Burnham St., Tigard, OR,
tax lot 2S102AC00200, I object to the assessment of \$450
for the Economic Improvement District.

Sincerely,



Page Stevens

JNB

REC'D JUL 20 2001

July 19, 2001

Jim Hendryx
City of Tigard
13125 SW Hall Blvd.
Tigard, OR 97223

Dear Mr. Hendryx,

As owners of the property at 12360 SW Main St., Tigard, OR,
tax lot 2S102AB05302, we object to the assessment of \$360
for the Economic Improvement District.

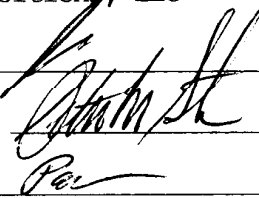
Sincerely,

Cascade Acquisitions, LLC

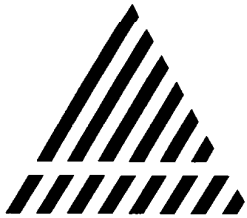
Page Stevens

Peter Stevens

Paul Mayer



SNB



SINCE 1962

ATLAS GENERAL CONTRACTORS

REC'D JUL 24 2001

To:

Mr. James N. P. Hendryx, Director of Community development
City of Tigard
13125 SW Hall Boulevard
Tigard, OR 97223

I, Douglas R. Allred, President of ATLAS GENERAL CONTRACTORS INC located at
9380 SW Tigard Street

Remonstrate against forming and being assessed for the proposed Business
Improvement District

SIGNED

DATE 7-23-01

NEW MAILING ADDRESS: ☒ P. O. BOX 23144 ☒ TIGARD, OR 97281-3144 ☒

9380 SW Tigard Ave. • Tigard, OR 97223 • (503) 620-7305 • Alt. (503) 292-5002 • Fax (503) 620-6623

7/23

D. R. ALLRED (rentals)

REC'D JUL 24 2001

To:

Mr. James N. P. Hendryx, Director of Community Development
City of Tigard
13125 SW Hall Boulevard
Tigard, OR 97223

I, Douglas R. Allred, owner of property and or properties located at 9384 - 9400 SW Tigard Street and 9438 - 9454 SW Tigard Street

Remonstrate against forming and being assessed for the proposed Economic Improvement District.

SIGNED



DATE

7-23-01

7/23

D. R. ALLRED (rentals)

RECD JUL 24 2001

To:

Mr. James N. P. Hendryx, Director of Community Development
City of Tigard
13125 SW Hall Boulevard
Tigard, OR 97223

I, Douglas R. Allred, Rentals, located at 9380 SW Tigard Street

Remonstrate against forming and being assessed for the proposed Business Improvement District.

SIGNED



DATE

7-23-01



Douglas R. Allred


RECD JUL 24 2001

To:

Mr. James N. P. Hendryx, Director of Community Development
City of Tigard
13125 SW Hall Boulevard
Tigard, OR 97223

I, Douglas R. Allred, owner of property and or properties located at 9384 - 9400 SW Tigard Street and 9438 - 9454 SW Tigard Street

Remonstrate against forming and being assessed for the proposed Economic Improvement District.

SIGNED 

DATE 7-23-01



ALLRED LTD. PARTNERSHIP

REC'D JUL 24 2001

To:

Mr. James N. P. Hendryx, Director of Community Development
City of Tigard
13125 SW Hall Boulevard
Tigard, OR 97223

I, Douglas R. Allred, partner of Allred Limited Partnership, located at 9380 SW Tigard Street

Remonstrate against forming and being assessed for the proposed Business Improvement
District.

SIGNED



DATE

7-23-01

*Atlas General
Contractors*

ALLRED LTD. PARTNERSHIP

REC'D JUL 25 2001

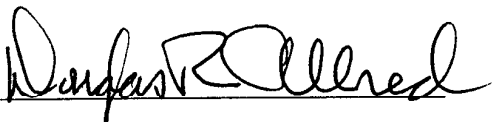
To:

Mr. James N. P. Hendryx, Director of Community Development
City of Tigard
13125 SW Hall Boulevard
Tigard, OR 97223

I, Douglas R. Allred, General Partner of Allred Limited Partnership, owner of properties located
at 9384 - 9400 SW Tigard Street and 9438 - 9454 SW Tigard Street

Remonstrate against forming and being assessed for the proposed Economic Improvement
District.

SIGNED



DATE

7-23-01

Handwritten initials

Douglas R. Allred

REC'D JUL 25 2001

To:

Mr. James N. P. Hendryx, Director of Community Development
City of Tigard
13125 SW Hall Boulevard
Tigard, OR 97223

I, Douglas R. Allred, General Partner of Allred Limited Partnership, owner of properties located
at 9384 - 9400 SW Tigard Street and 9438 - 9454 SW Tigard Street

Remonstrate against forming and being assessed for the proposed Economic Improvement
District.

SIGNED



DATE

7-23-01





Emmert Machining Company

9446 S. W. Tigard Street

Tigard, OR 97223

PH. (503) 620-3831

FAX (503) 620-2851

REC'D JUL 25 2001

July 24, 2001

To:

Mr. James N. P. Hendryx, Director of Community Development
City of Tigard,
13125 SW Hall Boulevard
Tigard, OR 97223

I, J. Franklin Emmert, DBA EMMERT MACHINING COMPANY located at 9446
SW Tigard Street, Tigard, OR

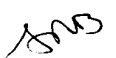
Remonstrate AGAINST forming and being ASSESSED for the proposed
BUSINESS IMPROVEMENT DISTRICT.



Signed

Date 7-24-01

BUSINESS OWNER



T. SCANDIA MOTORS, INC

July 23, 2001

REC'D JUL 25 2001

Reference: 2S102AD01200

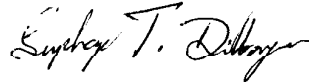
Jim Hendryx
City of Tigard
13125 SW Hall Blvd.
Tigard, OR 97223

Dear Jim Hendryx:

SUBJECT:EID/BID ASSESSMENT

As the owner of the property at 8848 SW Commercial St. and the business owner of T. Scandia Motors, Inc., I oppose the formation of EID/BID and the proposed assessment on the property and the business.

Sincerely,



Suphap T. Dibbayawan
President/Owner

To: Mr. James N.P. Hendryx, Director of Community Development
City of Tigard
13125 SW Hall Boulevard
Tigard, OR 97223

REC'D JUL 25 2001

I, Eileen Walsh, DBA Main Street Clinic located at _____
12540 SW Main St, Suite 110

Remonstrate against forming and being assessed for the proposed Business Improvement District.

BUSINESS OWNER

Signed Eileen A Walsh JNB
Date 7/23/01

TO: Mr. James N.P. Hendryx, Director of Community Development
City of Tigard
13125 SW Hall Boulevard
Tigard, OR 97223

I, _____, owner of property and or properties located at _____
and _____

Remonstrate against forming and being assessed for the proposed Economic Improvement District.

PROPERTY OWNER

Signed _____
Date _____

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*Dick Miller, Miller Automotive Service 503-639-3225
Forrest H. Johnson, Armature Coil Company 503-620-9444
Larry & Carolyn Barkley, Antique Barber Shop 503-624-0149 (EVENINGS ONLY)*

REC

REC'D JUL 25 2001

To: Mr. James N.P. Hendryx, Director of Community Development
City of Tigard
13125 SW Hall Boulevard
Tigard, OR 97223

I, JAY QJEDA DBA INCULTURE: POCOS located at 12540 SW MAINS
Tigard OR 97223

Remonstrate against forming and being assessed for the proposed Business Improvement District.

BUSINESS OWNER

Signed

Date

[Signature] 7-23-01 JNB

TO: Mr. James N.P. Hendryx, Director of Community Development
City of Tigard
13125 SW Hall Boulevard
Tigard, OR 97223

I, _____, owner of property and or properties located at _____
and _____

Remonstrate against forming and being assessed for the proposed Economic Improvement District.

Signed

Date

PROPERTY OWNER

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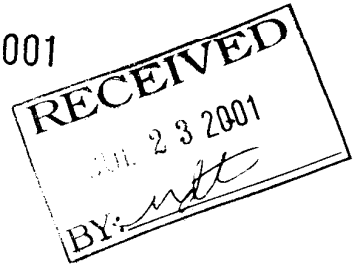
Concerned business people of Tigard:

Dick Miller, Miller Automotive Service 503-639-3225

Forrest H. Johnson, Armature Coil Company 503-620-9444

Larry & Carolyn Barkley, Antique Barber Shop 503-624-0149 (EVENINGS ONLY)

REC'D JUL 25 2001



To: Mr. James N.P. Hendryx, Director of Community Development
City of Tigard
13125 SW Hall Boulevard
Tigard, OR 97223

I, PCS Mach EASY LLC DBA PCOZ.COM located at 9570
SW TIGARD ST, TIGARD OR 97223

Remonstrate against forming and being assessed for the proposed Business Improvement District.

BUSINESS OWNER

Signed [Signature]
Date 7/23/01

TO: Mr. James N.P. Hendryx, Director of Community Development
City of Tigard
13125 SW Hall Boulevard
Tigard, OR 97223

I, Ken Rea, owner of property and or properties located at 9570
SW TIGARD ST, TIGARD OR 97223

Remonstrate against forming and being assessed for the proposed Economic Improvement District.

PROPERTY OWNER

Signed [Signature]
Date 7/23/01

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Dick Miller, Miller Automotive Service 503-639-3225

Forrest H. Johnson, Armature Coil Company 503-620-9444

Larry & Carolyn Barkley, Antique Barber Shop 503-624-0149 (EVENINGS ONLY)

REC'D JUL 25 2001

To: Mr. James N.P. Hendryx, Director of Community Development
City of Tigard
13125 SW Hall Boulevard
Tigard, OR 97223

I, DANE HOFFMILSER DBA REQUEST located at 12175
SW MAIN ST

Remonstrate against forming and being assessed for the proposed Business Improvement District.

BUSINESS OWNER

Signed _____

Date 7/21/01

TO: Mr. James N.P. Hendryx, Director of Community Development
City of Tigard
13125 SW Hall Boulevard
Tigard, OR 97223

I, _____, owner of property and or properties located at _____
and _____

Remonstrate against forming and being assessed for the proposed Economic Improvement District.

Signed _____

Date _____

PROPERTY OWNER

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Dick Miller, Miller Automotive Service 503-639-3225

Forrest H. Johnson, Armature Coil Company 503-620-9444

Larry & Carolyn Barkley, Antique Barber Shop 503-624-0149 (EVENINGS ONLY)

REC'D JUL 26 2001
REC'D JUL 26 2001

To: Mr. James N.P. Hendryx, Director of Community Development
City of Tigard
13125 SW Hall Boulevard
Tigard, OR 97223

I, Randall Kaufmann, DBA Kaufmann's Steamers located at 8861 SW Commercial St

Remonstrate against forming and being assessed for the proposed Business Improvement District.

BUSINESS OWNER

Signed Randall Kaufmann
Date 7/25/01

TO: Mr. James N.P. Hendryx, Director of Community Development
City of Tigard
13125 SW Hall Boulevard
Tigard, OR 97223

I, Randall Kaufmann, owner of property and or properties located at 8861 SW Commercial St and _____

Remonstrate against forming and being assessed for the proposed Economic Improvement District.

PROPERTY OWNER

Signed Randall Kaufmann
Date 7/25/01

This letter is in regards to the recent notice you have received on the formation of the Economic Improvement District (EID) and on the Business Improvement District (BID) from the City of Tigard. Tigard Central Business District Association (TCBDA) is proposing an assessment on both property owners and business owners.

If you are both, you pay both! If you do not want to pay, fill out, sign, and detach appropriate section and return to Mr. James Hendryx at the above address to be received by August 14, 2001. If you have received more than one of these letters, you have more than one property or business to be assessed. Please remonstrate each. These mailers were compiled from City of Tigard EID and BID fee tracking sheets. Concerned business people of Tigard:

Dick Miller, Miller Automotive Service 503-639-3225
Forrest H. Johnson, Armature Coil Company 503-620-9444
Larry & Carolyn Barkley, Antique Barber Shop 503-624-0149 (EVENINGS ONLY)

To: Mr. James N.P. Hendryx, Director of Community Development
City of Tigard
13125 SW Hall Boulevard
Tigard, OR 97223

REC'D JUL 26 2001

I, Lance Kaufmann, DBA Kaufmann located at 8881 SW Commercial St

Remonstrate against forming and being assessed for the proposed Business Improvement District.

BUSINESS OWNER

Signed [Signature]

Date 7/26/01

sub

TO: Mr. James N.P. Hendryx, Director of Community Development
City of Tigard
13125 SW Hall Boulevard
Tigard, OR 97223

I, Lance Kaufmann, owner of property and or properties located at 8881 SW Commercial and _____

Remonstrate against forming and being assessed for the proposed Economic Improvement District.

PROPERTY OWNER

Signed [Signature]

Date 7/28/01

sub

This letter is in regards to the recent notice you have received on the formation of the Economic Improvement District (EID) and on the Business Improvement District (BID) from the City of Tigard. Tigard Central Business District Association (TCBDA) is proposing an assessment on both property owners and business owners.

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Concerned business people of Tigard:

Dick Miller, Miller Automotive Service 503-639-3225

Forrest H. Johnson, Armature Coil Company 503-620-9444

Larry & Carolyn Barkley, Antique Barber Shop 503-624-0149 (EVENINGS ONLY)

REC'D JUL 26 2001

To: Mr. James N.P. Hendryx, Director of Community Development
City of Tigard
13125 SW Hall Boulevard
Tigard, OR 97223

I, WILLIAM G. ELSASSER, DBA JERRY'S GLASS STATION located at 8400
S.W. BURNHAM - #A18 TIGARD, ORE 97223

Remonstrate against forming and being assessed for the proposed Business Improvement District.

BUSINESS OWNER

Signed William G. Elsass
Date JULY 24, 2001

WGB

TO: Mr. James N.P. Hendryx, Director of Community Development
City of Tigard
13125 SW Hall Boulevard
Tigard, OR 97223

I, _____, owner of property and or properties located at _____
and _____

Remonstrate against forming and being assessed for the proposed Economic Improvement District.

Signed _____
Date _____

PROPERTY OWNER

This letter is in regards to the recent notice you have received on the formation of the Economic Improvement District (EID) and on the Business Improvement District (BID) from the City of Tigard. Tigard Central Business District Association (TCBDA) is proposing an assessment on both property owners and business owners.

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Dick Miller, Miller Automotive Service 503-639-3225

Forrest H. Johnson, Armature Coil Company 503-620-9444

Larry & Carolyn Barkley, Antique Barber Shop 503-624-0149 (EVENINGS ONLY)

REC'D JUL 26 2001

To: Mr. James N.P. Hendryx, Director of Community Development
City of Tigard
13125 SW Hall Boulevard
Tigard, OR 97223

I, Charles Schulz, DBA Western Plumbing located at 9460 SW Tigard St #101 Tigard OR 97223

Remonstrate against forming and being assessed for the proposed Business Improvement District.

BUSINESS OWNER

Signed Charles Schulz
Date 7-25-01

JNB

TO: Mr. James N.P. Hendryx, Director of Community Development
City of Tigard
13125 SW Hall Boulevard
Tigard, OR 97223

I, Charles Schulz, owner of property and or properties located at 9460 SW Tigard St and _____

Remonstrate against forming and being assessed for the proposed Economic Improvement District.

PROPERTY OWNER

Signed Charles Schulz
Date 7-25-01

JNB

This letter is in regards to the recent notice you have received on the formation of the Economic Improvement District (EID) and on the Business Improvement District (BID) from the City of Tigard. Tigard Central Business District Association (TCBDA) is proposing an assessment on both property owners and business owners.

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Dick Miller, Miller Automotive Service 503-639-3225

Forrest H. Johnson, Armature Coil Company 503-620-9444

Larry & Carolyn Barkley, Antique Barber Shop 503-624-0149 (EVENINGS ONLY)

REC'D JUL 26 2001

To: Mr. James N.P. Hendryx, Director of Community Development
City of Tigard
13125 SW Hall Boulevard
Tigard, OR 97223

I, Bruce Roberts DBA Beth's Arts located at 9438 SW Tigard St, Tigard

Remonstrate against forming and being assessed for the proposed Business Improvement District.

BUSINESS OWNER

Signed Bruce Roberts
Date 7/17/2001

TO: Mr. James N.P. Hendryx, Director of Community Development
City of Tigard
13125 SW Hall Boulevard
Tigard, OR 97223

I, _____, owner of property and or properties located at _____
and _____

Remonstrate against forming and being assessed for the proposed Economic Improvement District.

PROPERTY OWNER

Signed _____
Date _____

This letter is in regards to the recent notice you have received on the formation of the Economic Improvement District (EID) and on the Business Improvement District (BID) from the City of Tigard. Tigard Central Business District Association (TCBDA) is proposing an assessment on both property owners and business owners.

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*Dick Miller, Miller Automotive Service 503-639-3225
Forrest H. Johnson, Armature Coil Company 503-620-9444
Larry & Carolyn Barkley, Antique Barber Shop 503-624-0149 (EVENINGS ONLY)*

To: Mr. James N.P. Hendryx, Director of Community Development
City of Tigard
13125 SW Hall Boulevard
Tigard, OR 97223

REC'D JUL 26 2001

I, _____, DBA _____ located at _____

Remonstrate against forming and being assessed for the proposed Business Improvement District.

BUSINESS OWNER

Signed _____

Date _____

TO: Mr. James N.P. Hendryx, Director of Community Development
City of Tigard
13125 SW Hall Boulevard
Tigard, OR 97223

I, OTTO SOLI TRUST, owner of property and or properties located at _____
12564 SW MAIN and _____

Remonstrate against forming and being assessed for the proposed Economic Improvement District.

Signed _____

Date _____

7/24/01

OTTO SOLI TRUST

JMB

PROPERTY OWNER

This letter is in regards to the recent notice you have received on the formation of the Economic Improvement District (EID) and on the Business Improvement District (BID) from the City of Tigard. Tigard Central Business District Association (TCBDA) is proposing an assessment on both property owners and business owners.

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Dick Miller, Miller Automotive Service 503-639-3225

Forrest H. Johnson, Armature Coil Company 503-620-9444

Larry & Carolyn Barkley, Antique Barber Shop 503-624-0149 (EVENINGS ONLY)

REC'D JUL 26 2001

To: Mr. James N.P. Hendryx, Director of Community Development
City of Tigard
13125 SW Hall Boulevard
Tigard, OR 97223

I, Kemper Haiden DBA Kemper Drywall located at 8900 SW Burnham
Suite F-2, Tigard, OR. Inc

Remonstrate against forming and being assessed for the proposed Business Improvement District.

BUSINESS OWNER

Signed [Signature]
Date 7/24/01

[Signature]

TO: Mr. James N.P. Hendryx, Director of Community Development
City of Tigard
13125 SW Hall Boulevard
Tigard, OR 97223

I, _____, owner of property and or properties located at _____
and _____

Remonstrate against forming and being assessed for the proposed Economic Improvement District.

Signed _____
Date _____

PROPERTY OWNER

This letter is in regards to the recent notice you have received on the formation of the Economic Improvement District (EID) and on the Business Improvement District (BID) from the City of Tigard. Tigard Central Business District Association (TCBDA) is proposing an assessment on both property owners and business owners.

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Dick Miller, Miller Automotive Service 503-639-3225

Forrest H. Johnson, Armature Coil Company 503-620-9444

Larry & Carolyn Barkley, Antique Barber Shop 503-624-0149 (EVENINGS ONLY)

REC'D JUL 26 2001

To: Mr. James N.P. Hendryx, Director of Community Development
City of Tigard
13125 SW Hall Boulevard
Tigard, OR 97223

I, ROBERT RANDALL, DBA BURNHAM STORAGE located at 8900
SW BURNHAM, TIGARD, OR 97223

Remonstrate against forming and being assessed for the proposed Business Improvement District.

Signed 

Date 7-24-01

BUSINESS OWNER

JMB

TO: Mr. James N.P. Hendryx, Director of Community Development
City of Tigard
13125 SW Hall Boulevard
Tigard, OR 97223

I, ROBERT RANDALL, owner of property and or properties located at 8900
SW BURNHAM, TIGARD, OR and

Remonstrate against forming and being assessed for the proposed Economic Improvement District.

Signed 

Date 7-24-01

PROPERTY OWNER

JMB

This letter is in regards to the recent notice you have received on the formation of the Economic Improvement District (EID) and on the Business Improvement District (BID) from the City of Tigard. Tigard Central Business District Association (TCBDA) is proposing an assessment on both property owners and business owners.

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Dick Miller, Miller Automotive Service 503-639-3225

Forrest H. Johnson, Armature Coil Company 503-620-9444

Larry & Carolyn Barkley, Antique Barber Shop 503-624-0149 (EVENINGS ONLY)

JMB

Harvey D. Elser
23900 SW Mt. Creek Road
Sherwood, OR 97140

REC'D JUL 26 2001

Subject: Proposed Economic Improvement District

To:
Mr. Jim Hendryx
Director of Community Development
City of Tigard
13125 SW Hall Blvd
Tigard, OR 97223

I, Harvey D. Elser of 23900 SW Mt. Creek Road, Sherwood, OR and owner of property located at 12175 SW Main Street, Tigard, OR hereby remonstrate against forming & being assessed for the proposed Economic Improvement District.

My property is located at 12175 Main Street. Tax Lot identification number is 2S102AA05200.

Please present this to the City Council Public hearing set for August 14, 2001.

Sincerely,


Harvey D. Elser



Harvey D. Elser
23900 SW Mt. Creek Road
Sherwood, OR 97140

REC'D JUL 26 2001

Subject: Proposed Economic Improvement District

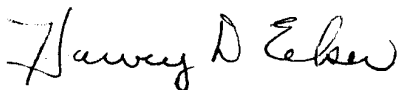
To:
Mr. Jim Hendryx
Director of Community Development
City of Tigard
13125 SW Hall Blvd
Tigard, OR 97223

I, Harvey D. Elser of 23900 SW Mt. Creek Road, Sherwood, OR and owner of property located at 12175 SW Main Street. Tigard, OR hereby remonstrate against forming & being assessed for the proposed Economic Improvement District.

My property is located at 12185 Main Street. Tax Lot identification number is 2S102AA05300.

Please present this to the City Council Public hearing set for August 14, 2001.

Sincerely,


Harvey D. Elser



- SAMPLE -

July 13, 2001

2S102AA00901
ALBERTSON'S INC
PO BOX 20
BOISE, ID 83726

NOTICE TO PROPERTY OWNERS OF PUBLIC HEARING

The Tigard City Council is considering the creation of an Economic Improvement District (EID) in the Downtown Tigard Area. A Hearing will be held August 14, 2001 at 7:30 pm in the Town Hall room of Tigard City Hall, 13125 SW Hall Blvd.

Dear ALBERTSON'S INC:

You have received this letter because, according to our records, you own commercially zoned property within the proposed Economic Improvement District. This letter is to notify you of the hearing and of the fee you would pay as a property owner within this district if the Economic Improvement District were formed. Property that is zoned commercial but is currently being used exclusively for residential purposes is not subject to assessment.

At their July 10th, 2001 meeting, the City Council announced that it was their intention to establish an Economic Improvement District and to assess property owners within the district certain costs. Based on that decision, the City Council set August 14th as a public hearing to officially accept, in writing, any objections from the property owners to the formation of the EID. The City Council also asked that each property and business owner be notified of the public hearing on August 14th and to provide the information used to calculate the proposed annual assessment. Even if you have already provided written comments or oral testimony, to be counted as objecting to the assessment (surcharge) you must file a clear written objection with the City before the end of the August 14th hearing. Please send your objections to Jim Hendryx at the City of Tigard, 13125 SW Hall Blvd, Tigard, OR 97223. The following is the proposed assessment of your property:

For the property at: 8745 SW SCOFFINS ST
With the tax lot identification number of: 2S102AA00901
With the acres of: 0.37
The proposed assessment will be: \$ 130

If, at the August 14th meeting, the City Council receives written objections from property owners who own property totaling more than 33% of the total assessment amount within the district, the City Council will not impose any assessments on property. Otherwise, the City Council may approve the final ordinance establishing the district, setting the assessment and requiring notices for payment of assessments to be sent to each property owner by October 31st, 2001. The City Council may make minor amendments to the amount assessed so that the actual amount may differ slightly from the proposed assessment.

A description of how the annual assessment was calculated, a fact sheet and a copy of the Economic Improvement District Plan have been included with this letter. If you have any questions about this, please call Tyler Ellenson, President of the Tigard Central Business District Association at (503) 639-5588 or Jim Hendryx, Community Development Director for the City of Tigard at (503) 639-4171 ext. 405.

July 13, 2001
4 PAWS DOG DAYCARE CENTER
9740 SW TIGARD ST
TIGARD OR 97223

- SAMPLE -

NOTICE TO BUSINESS OWNERS OF PUBLIC HEARING

The City of Tigard is considering the creation of an Economic Improvement District (EID) in the Downtown Tigard Area. A Hearing will be held August 14, 2001 at 7:30pm in the Town Hall room of Tigard City Hall, 13125 SW Hall Blvd.

Dear owner of 4 PAWS DOG DAYCARE CENTER:

This letter is being sent to you because, according to our records, you own a business within the proposed Economic Improvement District. This letter is to notify you of the hearing and of the fee you would pay as a business owner within this district if the Economic Improvement District is formed. Property that is zoned commercially but is currently being used exclusively for residential purposes is not subject to assessment.

At their July 10th meeting, the City Council announced that it was their intention to establish an Economic Improvement District in Downtown Tigard to assess property owners within the District and to impose a business tax surcharge on businesses within the District. The City Council set August 14th as a public hearing to officially accept, in writing, any objections from the property and business owners to the formation of the EID. The City Council also asked that each property and business owner be notified of the public hearing on August 14th, and to provide the information used to calculate the proposed annual assessment. Even if you have already provided written comments or oral testimony, to be counted as objecting to the assessment (surcharge) you must provide written objection with the City before the end of the August 14th hearing. Please send your objections to Jim Hendryx at the City of Tigard, 13125 SW Hall Blvd, Tigard, OR 97223. The following is the proposed business tax surcharge that your business would be required to pay.

For the Business at 9740 SW TIGARD ST:
The proposed business tax surcharge is \$ 100.

If at the August 14th meeting the City Council receives written objections from more than 33% of those doing business within the proposed district, the City Council will not impose the business tax surcharge. Otherwise, the City Council may approve the final ordinance establishing the district, setting the business tax surcharge and requiring notices to be sent to business owners by October 31st, 2001. The Council may make minor adjustments at its final hearing and the surcharge may slightly differ from the amount listed above.

For your information, a fact sheet, a copy of the Economic Improvement District plan, and a description of the tax assessment schedule has been included with this letter. If you have any questions concerning the Economic Improvement District, please call Tyler Ellenson, President of the Tigard Central Business District Association at (503) 639-5588 or Jim Hendryx, Community Development Director at the City of Tigard at (503) 639-4171 ext. 405.

CITY OF TIGARD

PUBLIC HEARING NOTICE

CHANGE IN HEARING TIME

The Public Hearing for the Tigard Central Business District Economic Improvement District will be held at 6:30 p.m. on Tuesday, August 14, 2001.

MINUTES
TIGARD CITY COUNCIL BUSINESS MEETING
JUNE 12, 2001

Mayor Griffith called the meeting to order at 6:32 p.m.

Council Present: Mayor Griffith, Councilors Dirksen, Moore, Patton, and Scheckla.

- STUDY SESSION

- > PAPERLESS COUNCIL PACKET HARDWARE TRAINING

Network Services Manager Paul deBruyn gave the Council their laptop computers and provided training on their operation.

Executive Session was called to order at 7:07 p.m.

- EXECUTIVE SESSION: The Tigard City Council went into Executive Session to discuss labor negotiations and real property transaction negotiations under ORS 192.660(d) and (e).

Executive Session adjourned 7:33 p.m. and Study Session resumed

- > SUMMER ELECTRIC SUPPLY DISCUSSION WITH PGE

The Council indicated that the Agenda Item Summary was sufficient and they had no comments or questions regarding the information provided. No presentation or supplemental information was provided.

Note: Council resumed discussion of Study Session agenda items after the Business Agenda.

- 1. BUSINESS MEETING

- 1.1 The meeting of the Tigard City Council & Local Contract Review Board was called to order by Mayor Griffith at 7:40 p.m.
 - 1.2 Council Present: Mayor Griffith, Councilors Dirksen, Moore, Patton, and Scheckla
 - 1.3 Pledge of Allegiance
 - 1.4 Council Communications & Liaison Reports – None.
 - 1.5 Call to Council and Staff for Non-Agenda Items – None.

2. SPECIAL ACKNOWLEDGEMENT & PROCLAMATION

- 2.1 Mayor Griffith presented Tim Ramis of the Ramis, Crew, Corrigan & Bachrach Law Office with Resolution 01-26 acknowledging 20 years of excellent legal services provided to the City of Tigard.

Note: The Council neglected to vote on this resolution and formally adopted it at the June 26, 2001, meeting.

- 2.2 Proclamation - Pause for Pledge of Allegiance and Flag Day, June 14, 2001
Mayor Griffith signed the proclamation, noting that it encouraged Tigard citizens to pause at 4:00 p.m. on June 14 and recite the Pledge of Allegiance to the flag and nation.

3. VISITOR'S AGENDA (Two Minutes or Less, Please)

- 3.1 Russ Rutledge – Tigard High School Student Envoy
Mr. Rutledge handed out a Student Envoy Report and described activities at the high school. A copy of the report is on file with the City Recorder.
- 3.2 RESOLUTION NO. 01-27 – A resolution Acknowledging and Commending Russ Rutledge for his Efforts as the Tigard High School Student Envoy to the City of Tigard was Considered.

Motion by Councilor Scheckla, seconded by Councilor Patton, to adopt Resolution 01-27.

The motion was approved by a unanimous vote of Council present:

Mayor Griffith	-	Yes
Councilor Dirksen	-	Yes
Councilor Moore	-	Yes
Councilor Patton	-	Yes
Councilor Scheckla	-	Yes

- 3.3 The Mayor prefaced Mr. Mills' remarks by explaining that since the City and the union were currently in negotiations, any comments regarding arbitration would be inappropriate. He added City Attorney Ramis would halt any discussion related to the negotiations.

Mr. Mike Mills introduced himself as a City of Tigard employee and the President of Local 199, Oregon Public Employees Union. When Mr. Mills mentioned topics such as healthcare, mediation, equal benefits and treatment, Mr. Ramis stopped the discussion indicating that these topics were substantive issues related to the negotiations. Mr. Ramis emphasized the bargaining team was the proper point of contact for this discussion, and it would be inappropriate for the Council to listen or respond to Mr. Mills' issues.

The Mayor stated once an agreement was reached, it would be closely reviewed by the Council. He explained at this point in the bargaining process, he did not want to jeopardize either the union's or the City's position by allowing testimony related to the negotiations.

4. CONSENT AGENDA:

Motion by Councilor Moore, seconded by Councilor Dirksen to approve the Consent Agenda as follows:

- 4.1 Approve Council Minutes: April 17 and 24, 2001
- 4.2 Receive & File:
 - a. Council Calendar
 - b. Tentative Agenda
- 4.3 Extend the Lease for 9020 SW Burnham Street for One Year to Community Partners for Affordable Housing (CPAH) and Community Action Organization (CAO)
- 4.4 Approve Transfer of Funds from the General Fund Contingency to Policy and Administration Operating Appropriation to Fund the Special Election Held March 13, 2001 (Budget Adjustment No. 7) - Resolution No. 01-28
- 4.5 Approve Transfer of Funds from the General Fund to the 69th Avenue Local Improvement District Fund to Purchase Surplus Property (Budget Adjustment No. 8) – Resolution No. 01-29
- 4.6 Approve Personal Services Contract for Tigard Municipal Court Judge Michael O'Brien – Resolution No. 01-30
- 4.7 Approve Amendment to Personal Services Contract with City Attorney Law Firm of Ramis, Crew, Corrigan and Bachrach to Adjust Rates
- 4.8 Adjust Fee for Lien Search Service – Resolution No. 01-31
- 4.9 Local Contract Review Board
 - a. Award Contract to Randall Corporation for Grant Assistance
 - b. Award Contract to Pauly, Rogers and Company for Audit Services

The motion was approved by a unanimous vote of Council present:

Mayor Griffith	-	Yes
Councilor Dirksen	-	Yes
Councilor Moore	-	Yes
Councilor Patton	-	Yes
Councilor Scheckla	-	Yes

5. REVIEW POLICY FOR SIDEWALKS AND RIGHT-OF-WAY MAINTENANCE RESPONSIBILITIES ON MAJOR COLLECTORS

a. Staff Report

Public Works Director Ed Wegner briefly described discussions from previous meetings. The outcome of these discussions had been that \$172,000 from the 2001-2002 budget would be allocated to the enhanced right-of-way and sidewalk option. However, during the budget process, when the cost of the enhanced right-of-way and sidewalk option was reviewed in conjunction with the street maintenance program, the option was not funded. This resulted in the right-of-way and sidewalk maintenance issue reverting to the basic option where the City would only maintain its right-of-way and sidewalks. Property owners would be held responsible for their sidewalk and right-of-way areas, as stated in the Tigard Municipal Code.

In response to a question about Durham Road and Summerfield from Councilor Scheckla, Mr. Wegner explained no agreements had been found regarding the responsibility of maintenance since the Durham Road expansion and improvements were made. It is unknown whether any agreements existed prior to the improvements. City Manager Monahan noted that as development has occurred along Durham, homeowner associations and apartment complexes were aware of their responsibility, and have accepted this responsibility.

Councilor Scheckla inquired about the proposed level of service for Durham Road. Mr. Wegner related that the level of service would decrease. This direction is based on the minutes of previous Council meetings, which indicate that if the enhanced right-of-way program was not funded, the City would only maintain right-of-way areas abutting City property. Currently, the City maintains 84,000 linear feet of right-of-way. Without funding, the City will reduce its maintenance to 36,000 linear feet of right-of-way, with the remaining 48,000 linear feet becoming the responsibility of property owners.

Mr. Wegner noted that the City planned to maintain an additional 600 - 700 linear feet of property where steep slopes, drainage ditches, etc. would prevent the average homeowner from performing maintenance.

Mr. Wegner reminded the Council of the discussion wherein the demands of performing right-of-way maintenance were preventing crews from conducting necessary street maintenance such as sign markings, visual clearance, speed humps, and crack sealing. The enhanced right-of-way program option would create a separate right-of-way crew, enabling street crews to focus on street maintenance. If the City's right-of-way maintenance area is reduced to 36,000 linear feet, staff will be available for street maintenance.

In response to a question from Councilor Dirksen, Mr. Wegner confirmed that there is no policy to determine which properties are maintained by the City, and which are maintained by property owners; current right-of-way maintenance is inconsistent.

In response to a question from Councilor Scheckla, Mr. Wegner stated it was not realistic to expect volunteers to perform right-of-way maintenance. The equipment used is sophisticated and can be dangerous. He also noted that special licensure is required to apply chemicals. Mr. Monahan added it would be difficult to provide a consistent level of maintenance on such a large scale utilizing volunteers. Mr. Wegner and Mr. Monahan described projects in which the Public Works Department does utilize volunteers.

Mayor Griffith inquired about the cost to maintain the current program. Mr. Monahan cautioned that maintaining the existing program would foster greater confusion. Currently, the City provides right-of-way maintenance to some property owners, while not providing it to others in similar circumstances. He raised the question of what happens to properties that have been added because property owners were not maintaining them, what happens when the City maintains one person's property, but not another's, what happens when new streets are created with similar maintenance scenarios? Mr. Wegner expressed his concern that right-of-way maintenance occurs at the expense of street maintenance.

Councilor Patton responded by saying that the current right-of-way maintenance program is inequitable. She advised that it would be unfair to continue with the current practice, and the final policy must be equitable and applied across-the-board. She stated the City was sending mixed signals by providing maintenance to some property owners and not others, and that the

City could do a better job of making home owners aware of their responsibility. She pointed out that funding the enhanced right-of-way program had to be weighed against the City's need for street maintenance.

b. Public Testimony

Patrick A. Burns, 10555 SW Highland, requested that Paul Owen speak on his behalf.

Paul Owen, 10335 SW Highland Drive, began by saying Summerfield sidewalks and right-of-way areas are much larger than those of other City streets, and expecting property owners to maintain these larger areas was unfair. He stated Durham Road is the only fully improved major collector in the City, and as such, the City should assume responsibility for sidewalks and right-of-way areas.

Councilor Scheckla asked Mr. Owen if the Summerfield Homeowners Association would be interested in maintaining the sidewalks and the right-of-way.

Mr. Owen said that the Association did not get involved in maintenance, and that they had never been responsible for streets inside or outside of Summerfield. He commented that Durham Road is used by everyone in the area, not just Summerfield residents.

Councilor Scheckla inquired if Mr. Owen was aware of any maintenance agreements that occurred prior to the construction of Summerfield. Mr. Owen said that he did not know of any agreements, but he would be happy to research the issue.

Mayor Griffith confirmed that Durham Road is the only completely improved major collector within the City. Roads such as Gaarde, Walnut, Sattler, and 135th are comparable to Durham, although improvements are not fully complete.

Councilor Moore asked Mr. Owen how he would justify providing sidewalk and right-of-way maintenance on Durham Road and not other streets. Mr. Owen responded that there are no other streets which are fully improved major collectors. Councilor Moore stated that he would have difficulty using such a justification to other property owners.

Mr. Owen stated that he had been a Public Works Director in another state and the City assumed responsibility for all the right-of-way areas. Councilor Dirksen inquired how other cities handle their right-of-way maintenance. Mr. Wegner replied other cities' service ranges from no maintenance to maintenance of the entire right-of-way area. He added that the level of service depends upon the level of funding. Mr. Wegner continued by saying that Public Works employees have a good work ethic and if responsible for the right-of-way, they would like it to be attractive. He related that simply spraying, without some type of landscaping, looks unappealing and results in erosion.

Bill Peterson, 9515 SW Brentwood Place Townhouse #3, Summerfield, asked, who pays the taxes on the right-of-way? He expressed concern about uniform treatment. He remarked that Durham Road is the busiest street in Tigard, and Summerfield maintains the right-of-way and insures the sidewalk. Mr. Peterson asked if this occurs on all other collectors in the City? Mr. Wegner responded that the City does not carry any insurance on the right-of-way or sidewalks unless they are owned by the City. Mr. Peterson asked City Attorney Tim Ramis if the City had a limit on suits under the Oregon Revised Statutes. Mr. Ramis responded that there was a limit for tort actions. Mr. Peterson then asked if it was possible for the City to assume responsibility for insuring the sidewalk along Summerfield, since the City's liability is limited and the property owner's is not. Mr. Ramis said the City would need to set a consistent policy. Mr. Peterson asserted many Summerfield residents do not have equipment and are not physically capable of maintaining the sidewalk. He gave snow removal as an example. He related Summerfield residents did not want sprinklers and grass along the wall. His preference would be to have the area sprayed with weed killer and for the City to assume insurance and maintenance of the right-of-way and sidewalk. Mr. Peterson concluded by asking for the Council to take action and create a uniform policy regarding the right-of-way and sidewalk areas for major, and possibly minor, collectors.

Councilor Scheckla suggested the right-of-way options might be revisited in the following budget year. Councilor Moore proposed a budget adjustment could be made in the 2001-2002 fiscal year, should the Council decide to fund the maintenance.

Mr. Wegner clarified that with existing staff, the City would not be able to maintain the sidewalks as Mr. Peterson suggested. Mr. Wegner indicated the City would be unable to perform snow removal on sidewalks. In the event of a major snowstorm, snow removal on streets would be the first priority.

Mr. Peterson reiterated Durham Road is the only improved major collector.

Paul Hunt, 10320 SW Century Oak Drive, began by agreeing with Councilor Patton that residents affected by road improvements need to be educated about their increased responsibility. He stated when the improvements were made to Durham Road, he was president of the Civic Association. He supported the improvements, but asserted had he known about the maintenance and liability issues, he would not have voted for the project. He indicated other Summerfield residents would have responded in a similar fashion. He advised that residents affected by future improvements need to know they may be agreeing to increased responsibility.

Mr. Hunt continued by saying the current right-of-way maintenance program lacks consistency. Mr. Hunt said some sort of compromise or "happy medium" needs to be reached. He said there was a big difference between the City's current level of service and no service at all. He stated the proposed enhanced right-of-way and sidewalk option was a big expense, and suggested the right-of-way area may not need to be maintained at this level. He offered that if the budget was not increased over the previous year, the cost of spraying and minimal maintenance could be covered. He argued that the right-of-way does not need to be a park-like area with grass and sprinklers.

As a property owner, Mr. Hunt stated that it would cost him more to maintain the right-of-way area than it would cost the City. He would either have to purchase a mower, or hire someone. His cost would be much greater than if he paid the City, and the City performed the maintenance, because the City can provide the service more efficiently, since it already has the crews and equipment.

He requested the Council explore right-of-way maintenance options that clarify the City's policy, set clear limitations, and offer uniformity. He stated he did not agree he was responsible for 21 feet of the City's property, which has a steep bank and is difficult to mow. He asked the Council to come up with a solution that would be fairer to taxpayers. Instead of each property owner maintaining his/her section, Mr. Hunt related he would rather pay the City, and have the City maintain the right-of-way. Mr. Hunt asserted the City could perform the maintenance of the entire area at a much lower cost. He remarked that volunteer crews did not seem feasible since volunteers can not spray the area and hand mowers are not practical given the terrain. Mr. Hunt inquired if the Council would create a committee to come up with a solution

that is more equitable than simply turning the right-of-way maintenance over to the property owners.

In response to a question from Councilor Scheckla, Mr. Ramis responded that based on City ordinance, the property owner is liable for damage occurring in the right-of-way. If the damage was caused by another individual, the property owner could then file a claim against the person who caused the damage.

Mayor Griffith asked Mr. Hunt where the property line was in relation to the wall. Mr. Hunt was unsure. Mr. Hunt continued by reminding Council that before the road was constructed, Durham was just a little two-lane road with no sidewalks. People from Summerfield who voted in favor of the Durham Road improvements had no idea of the liability they were taking on when the improvements were made. Councilor Moore reflected that he had not considered the fact that the homes were built before the improvements, and this fact did put the matter in a different light. He stated a committee probably wasn't needed, but he did think the Council should explore the issue further in study meeting. He reiterated his concern about "where you draw the line" when providing right-of-way maintenance for property owners.

Councilor Scheckla raised the issue of Durham being the only fully complete major collector in Tigard. Councilor Moore said that although Durham is the only one at this time, other streets will fall into the same category in the future. He remarked that the issue of a fully completed major collector and the level of maintenance should be discussed in study meeting.

c. Council Direction

Mayor Griffith suggested the Council revisit the issue at a subsequent meeting. He stated that just spraying the area does create erosion problems, and that the area may then need to be stabilized. The Mayor asserted that irrespective of the type of street, if there is a wall dividing a homeowner's property, right-of-way maintenance is an issue. Councilor Patton pointed out that in other instances, homes were built prior to the improvements, as occurred in Summerfield. Councilors Patton and Dirksen concurred that the issue should be tabled.

In response to a question from Councilor Scheckla, Mr. Ramis stated the City's planning files could be investigated to find out if any right-of-way maintenance agreements were made when Summerfield was constructed.

Mr. Wegner asked the Council to confirm that with the approval of the 2001-2002 budget tonight, the City would not maintain the right-of-way and sidewalks with the exception of areas abutting City property, areas with steep slopes, and areas with drainage ditches. The Council confirmed that this was their direction.

Meeting recessed at 8:59 p.m.

Meeting reconvened at 9:07 p.m.

6. PUBLIC HEARING - CONSIDER A RESOLUTION CERTIFYING THAT THE CITY OF TIGARD PROVIDES SERVICES QUALIFYING FOR STATE SHARED REVENUES

- a. Staff Report
Finance Director Craig Prosser described the services the City provides which make it eligible to receive state shared revenues from cigarette, liquor and gas taxes.
- b. Mayor Griffith opened the public hearing
- c. Public Testimony - none
- d. Council Questions or Comments - none
- e. Mayor Griffith closed the public hearing
- f. Council Consideration:

Motion by Councilor Scheckla, seconded by Councilor Patton, to adopt Resolution No. 01-32

RESOLUTION NO. 01-32 – A RESOLUTION CERTIFYING THAT THE CITY OF TIGARD PROVIDES SERVICES QUALIFYING FOR STATE SHARED REVENUES

The motion was approved by a unanimous vote of Council present:

Mayor Griffith	-	Yes
Councilor Dirksen	-	Yes
Councilor Moore	-	Yes
Councilor Patton	-	Yes
Councilor Scheckla	-	Yes

7. PUBLIC HEARING - CONSIDER AN ORDINANCE DECLARING THE CITY'S ELECTION TO RECEIVE STATE REVENUES

- a. Staff Report
Finance Director Craig Prosser briefly described the ordinance and the City's compliance with the requirements making it eligible to receive the funds.
- b. Mayor Griffith opened the public hearing
- c. Public Testimony - none
- d. Council Questions or Comments - none
- e. Mayor Griffith closed the public hearing
- f. Council Consideration:

Motion by Councilor Dirksen, seconded by Councilor Moore, to adopt Ordinance No. 01-04

ORDINANCE NO. 01-04 – AN ORDINANCE DECLARING THE CITY'S ELECTION TO RECEIVE STATE REVENUES

The motion was approved by a unanimous vote of Council present:

Mayor Griffith	-	Yes
Councilor Dirksen	-	Yes
Councilor Moore	-	Yes
Councilor Patton	-	Yes
Councilor Scheckla	-	Yes

8. PUBLIC HEARING - CONSIDER A RESOLUTION ADOPTING THE BUDGET, MAKING APPROPRIATIONS, DECLARING THE VALOREM TAX LEVY AND CLASSIFYING THE LEVY AS PROVIDED BY ORS 310.060(2) FOR FISCAL YEAR 2001-2002

- a. Staff Report
Finance Director Craig Prosser explained that this was the final step needed to approve the budget. He described the City's budget process.
- b. Mayor Griffith opened the public hearing
- c. Public Testimony - none
- d. Council Questions or Comments - none
- e. Mayor Griffith closed the public hearing
- f. Council Consideration:

Motion by Councilor Patton, seconded by Councilor Moore, to adopt Resolution No. 01-33

RESOLUTION NO. 01-33 – A RESOLUTION OF THE CITY OF TIGARD ADOPTING THE BUDGET, MAKING APPROPRIATIONS, DECLARING THE VALOREM TAX LEVY AND CLASSIFYING THE LEVY AS PROVIDED BY ORS 310.060(2) FOR FISCAL YEAR 2001-02

The motion was approved by a unanimous vote of Council present:

Mayor Griffith	-	Yes
Councilor Dirksen	-	Yes
Councilor Moore	-	Yes
Councilor Patton	-	Yes
Councilor Scheckla	-	Yes

9. PUBLIC HEARING – APPROVE THE CAPITAL IMPROVEMENT PROGRAM (CIP) FOR FISCAL YEAR 2001-2002

a. Staff Report

City Engineer Gus Duenas described the City's CIP process and gave a PowerPoint presentation on the Program. A copy of this presentation is on file with the City Recorder. Mr. Duenas added that he is working with the railroad to see if repairs to some of the railroad crossings can be done this summer.

b. Mayor Griffith opened the public hearing

c. Public Testimony - none

d. Council Questions or Comments

Councilor Dirksen agreed with the projects selected and how they were prioritized. He stated all the projects were important to the City and expressed his frustration that the City lacks sufficient funding to do all the projects listed.

e. Mayor Griffith closed the public hearing

f. Council Consideration:

A motion by Councilor Dirksen, seconded by Councilor Patton, to approve the fiscal year 2001-2002 capital improvement program.

The motion was approved by a unanimous vote of Council present:

Mayor Griffith	-	Yes
Councilor Dirksen	-	Yes
Councilor Moore	-	Yes
Councilor Patton	-	Yes
Councilor Scheckla	-	Yes

10. PUBLIC HEARING – FORM AN ECONOMIC IMPROVEMENT DISTRICT (EID) TO ESTABLISH A FRAMEWORK FOR THE TIGARD CENTRAL BUSINESS DISTRICT ASSOCIATION (TCBDA) TO CONTINUE TO PROMOTE AND REVITALIZE DOWNTOWN

a. Staff Report

Community Development Director Jim Hendryx gave a brief history of the EID/BID. He reported there had been a notification error and recommended the hearing be opened tonight and continued to the July 10, 2001, Council meeting. This would allow for the required notification of the affected parties who were missed in the initial mailing. Mr. Hendryx introduced Tyler Ellenson, President of the TCBDA.

Mr. Ellenson gave a PowerPoint presentation on the proposed EID/BID. A copy of the PowerPoint presentation is on file with the City Recorder.

With regard to funding, Mr. Ellenson responded that the Association would like the City's support for the next five years, but understands the City can not commit to funding levels beyond the current fiscal year.

In response to a question from Mayor Griffith, City Attorney Tim Ramis stated that the hearing process would need to occur all over again if the boundaries of the District were expanded or changed.

Mr. Hendryx explained that tonight's hearing is a "roll out" hearing, to initiate the EID/BID process. The "roll out" hearing will be continued at the July 10, 2001, Council meeting. Assuming less than 33 percent remonstrates are received, the Council will have the authority to approve the EID/BID. Mr. Hendryx reiterated that today's hearing would be continued to the July 10, 2001, Council meeting, with the second public hearing slated for the August 14, 2001, meeting.

- b. Mayor Griffith opened the public hearing
- c. Public Testimony

Fran Gritzbaugh, 12575 SW Main, Tigard, explained that she was a property owner in the Central Business District. Ms. Gritzbaugh asserted the TCBDA was made up of a small group of individuals who acted as though they represented the entire business community. Ms. Gritzbaugh stated the TCBDA made decisions and recommendations without consulting the business community it claimed to represent. She reported the TCBDA was exclusionary and did not follow its own by-laws. She questioned whether public funds should be used to support such an organization. She recounted that she had expressed interest in the TCBDA for the last 2 years and had repeatedly asked the president and secretary of the Association if she could join. She indicated she was told the meetings were not open to the public and she could not attend.

The Council entered into a discussion regarding Ms. Gritzbaugh's testimony. Mr. Ramis remarked that the Council had the authority to ask the TCBDA to show it had been in compliance with its by-laws, describe its procedures and operations, and present a legal opinion from its counsel.

Mr. Ellenson responded by saying that Ms. Gritzbaugh had been invited to meetings and had attended a meeting. He described how the Association had evolved. In response to questions from Council, Mr. Ellenson said the organization's Board of Directors was to be elected by the general membership. Mr. Ellenson stated the organization didn't yet have a general membership. He continued by saying the TCBDA did not have anything to offer potential members at this early stage in the organization's development. Mr. Ellenson stated that counsel had reviewed the Association's by-laws, and the Association has held monthly meetings.

Councilor Moore confirmed with Mr. Ellenson that anyone in the downtown area was free to attend meetings and could consider themselves a "member" of the TCBDA. Mr. Ellenson stated the organization has an "open-door" policy.

Councilor Patton inquired about the voting rights of the TCBDA. Mr. Ellenson responded that the people serving on the Board of Directors were the voting members. If a general membership existed, it would elect the people to serve on the Board.

Mayor Griffith concluded this discussion. City Manager Bill Monahan suggested the Council request the following information from the TCBDA for the July 10 meeting:

- TCBDA by-laws
- Information about past meetings
- Written legal opinion from the TCBDA counsel that the organization is in compliance with its by-laws

Councilor Patton confirmed that the Council would like to have this information. Councilor Scheckla also requested information on when the TCBDA was established, its officers, how it originated, and who had been present at meetings.

Gary Helmer, 10585 SW Walnut, Tigard, stated that he owned property on Tigard Avenue. Mr. Helmer said he was opposed to the EID because it would tax many and benefit few. Mr. Helmer owns warehouse spaces and did not feel he would reap any advantages of the EID.

Dr. Eileen Walsh, 12540 SW Main Street, Tigard, stated that she had recently opened her practice on Main Street. Instead of a flat fee, Dr. Walsh proposed that BID fees should be calculated similar to EID fees. Namely, based upon square footage or number of employees. Dr. Walsh asserted that service industries, such as her medical practice, are not comparable to a restaurant or retail business. Dr. Walsh stated that she supported Main Street improvements, but would like the business owner tax structure to be more equitable.

In response to the Council, Mr. Hendryx stated that the Board decided on a flat fee schedule for businesses, rather than some type of formula. The proposed fees would be \$132 for businesses off Main Street and \$170 for Main Street businesses.

Harvey Elser, 23900 SW Mountain Creek Road, stated that he was a property owner on Main Street. Mr. Elser said he attended some Association meetings early on. Mr. Elser concurred with Ms. Gritzbaugh that the Association's actions were not well publicized and that the Association did not represent a broad spectrum of property owners and businesses. He indicated he would have liked to have known when officers were elected. Mr. Elser said that he had received one piece of correspondence from the Association in the past year and a half.

Councilor Dirksen asked how Mr. Elser felt about the EID. Mr. Elser responded that he was hesitant to pay more taxes, but his opinion would depend upon the benefits provided. Mr. Elser stated that he was unsure what the benefits were, and therefore, was skeptical about supporting the EID. Councilor Dirksen asked if the Association offered membership, conducted regular meetings, and followed a formal process for electing board members, would Mr. Elser's concerns be addressed. Mr. Elser said they would. However, he reiterated that the Association should be comprised of a broader spectrum of the business community. He asserted that the Association needed to improve its communication with property owners and businesses.

Mike Marr, 12420 SW Main Street, stated that he was a business owner on Main Street. Mr. Marr said he had participated in every phase of the process to revitalize the downtown. He said great progress had been made. Mr. Marr commented that although he was not a board member of the Association, he had no difficulty finding out when meetings were held, and his input was welcomed by the organization. Mr. Marr took issue with statements made to the contrary.

Bill Wadman, Manager for the TCBDA, 1420 SW Main Street, stated that he found some of the earlier comments disturbing. He stated that he had gone door-to-door and handed out information on how to reach the Association and himself. He continued by saying the Association was operating on a "shoestring" budget and the cost of mailings was prohibitive. Mr. Wadman directed his attention to the audience and inquired how many of the audience members had invited Ms. Gritzbaugh to attend a TCBDA meeting. Several audience members stood. He stated that he had been unable to obtain Ms. Gritzbaugh's phone number, and therefore, could not contact her.

- d. Mayor Griffith continued the public hearing to July 10, 2001, and thanked those who had participated in the hearing.

Meeting recessed at 10:40 p.m.

Meeting reconvened at 10:47 p.m.

11. REVIEW THE PROPOSED CITYWIDE SEWER EXTENSION PROGRAM

- a. Staff Report

City Engineer Gus Duenas gave a PowerPoint presentation on the plan for extending sewer to areas without service throughout the City. The presentation is on file with the City Recorder. Mr. Duenas explained that financing options were still being explored. He recommended the Council:

- approve the program and the project schedule
- reduce the homeowners cost share to \$6,000 (retroactive)
- extend the hook-up eligibility period to three years

Mr. Duenas explained the recommendations could be accomplished by resolution at a future meeting.

b. Council Direction:

Motion by Councilor Scheckla, seconded by Councilor Moore, to accept the staff recommendations to approve the program and the project schedule, reduce the homeowners cost share to \$6,000, and extend the hook-up eligibility period to three years.

The motion was approved by a unanimous vote of Council present:

Mayor Griffith	-	Yes
Councilor Dirksen	-	Yes
Councilor Moore	-	Yes
Councilor Patton	-	Yes
Councilor Scheckla	-	Yes

12. UPDATE ON WATER SUPPLY

Due to the late hour, the Council set this item over to the June 26, 2001, meeting.

13. CONSIDER ORDINANCE REPEALING TIGARD MUNICIPAL CODE SECTION 5.10 – DETECTIVES AND MERCHANT POLICE

a. Staff Report

Police Chief Ron Goodpaster stated this section of the Tigard's Code is no longer applicable. Licensing of private security personnel is now done by the Department of Public Safety Standards and Training. Mr. Goodpaster

recommended the Council repeal section 5.10 of the Code due to existing state law and administrative rules.

- b. Council Consideration: Ordinance No. 01-05

Motion by Councilor Moore, seconded by Councilor Patton, to adopt Ordinance No. 01-05

ORDINANCE NO. 01-05 – AN ORDINANCE REPEALING CHAPTER 5.10 OF THE TIGARD MUNICIPAL CODE

The motion was approved by a unanimous vote of Council present:

Mayor Griffith	-	Yes
Councilor Dirksen	-	Yes
Councilor Moore	-	Yes
Councilor Patton	-	Yes
Councilor Scheckla	-	Yes

14. COUNCIL LIAISON REPORTS

- Councilor Dirksen reported he and Councilor Moore attended a meeting with representatives from the county, Unified Sewerage Agency, Tualatin Hills Park and Recreation, and Metro. Attendees discussed the acquisition of the Conklin, Stanley and Gage properties. Councilor Hosticka stated he could only secure Metro's support for acquisition of the Conklin property. Tom Brown agreed to draft a proposal to submit to Metro regarding the property/properties. It was unknown which property/properties will be contained in the draft proposal. Councilor Moore informed the group that the Conklin property was Tigard's highest acquisition priority, but the City was interested in the other properties also. He indicated that written support from the Council and technical help from staff will be needed. The acquisition(s) will require a financial contribution from the City.
- Councilor Patton confirmed the other Councilors had received a signed Memorandum of Understanding for the feasibility study. She reported that she and Public Works Director Ed Wegner had attended a meeting of the Regional Water Authority. She stated there was a great deal of interest, including citizen groups, in the Authority. The next meeting will be held on June 28, 2001.
- Mayor Griffith announced there would be a Youth Forum meeting in Town Hall the following morning at 7:30

15. NON AGENDA ITEMS: None

Note: Study Session agenda items were continued

- STUDY SESSION

- > Administrative Items:

- Update on City's 40th birthday party – set-over to a future meeting
 - Resource Cities Program - set-over to a future meeting
 - The Councilors had no input on Metro Redistricting
 - Community Health Workers Association appreciation day request for funding. City Manager recommended sending a letter to the Association informing them of the City's process to request funding. Council agreed.
 - City Manager Monahan distributed a Library brochure.

Meeting adjourned at 11:12 p.m.

Attest:

Greer A. Gaston, Deputy City Recorder

Mayor, City of Tigard

Date: _____

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MINUTES
TIGARD CITY COUNCIL WORKSHOP MEETING
JUNE 19, 2001

WORKSHOP MEETING

- 1.1 Call to Order - Mayor Griffith called the meeting to order at 6:33 p.m.
- 1.2 Roll Call: Mayor Griffith, Councilors Dirksen, Moore, Patton, and Scheckla
- 1.3 Pledge of Allegiance
- 1.4 Council Communications & Liaison Reports: None
- 1.5 Call to Council and Staff for Non Agenda Items

It was noted there would be schedule announcements at the end of the meeting.

2. UPDATE ON TRI-MET

Community Development Director Jim Hendryx and Risk Management Analyst Loreen Mills updated the City Council on this agenda item. The Council packet is on file with the City Recorder.

Mr. Hendryx said the City needs to prioritize the items it would like Tri-Met to address. The Council discussed shelters, pedestrian access (criteria set by Tri-Met), and the funds collected from the area versus the level of service provided. Councilor Patton noted the need to form a partnership with Tri-Met in order to plan for the area's future needs. Included in Council's discussion were the following topics:

- reviewing surveys to determine services needed
- the need for service on Bonita Road, Walnut Street, Gaarde Street, Barrows, McDonald, and Durham Road (would assist with youth services planning)
- improving service in the Tigard Triangle area
- continuous bus loop to run throughout the City

Ms. Mills noted that if populations to be served were linked to a request for service, then Tri-Met could seek out funding sources. Sample populations to be served might include youth, senior citizens, employees/employers, and low-income citizens. Mr. Hendryx added that service to future commuter rail and parking needs for the downtown area should also be considered.

Councilor Dirksen suggested that prioritizing could be done by location as follows:

- Bonita Road would serve low income
- 72nd Avenue would serve an employee/employer base
- Durham Road would serve youth and senior populations

Councilor Scheckla requested information on why the shelter in front of Ripley Furniture was removed.

Ms. Mills summarized the Council's discussion noting Tigard's priorities would include:

- planning service in conjunction with commuter rail
- providing service for under served areas, which would include transportation for low-income citizens, senior and youth populations, an employee/employment base, and access to services

3. UPDATE ON ANNEXATION

Community Development Director Jim Hendryx summarized the staff report, which is on file with the City Recorder.

A focus group meeting is planned for July 26, 2001, to discuss annexation with Bull Mountain area residents. City Manager Bill Monahan noted that staff was proceeding cautiously with the annexation study, until they learn whether area residents are receptive to the idea. The purpose of the focus group is to gauge the level of interest in annexation and to identify what information area residents would find helpful. Mr. Hendryx said that Tigard needs to evaluate how annexation would impact the City. Councilor Patton said the focus meetings should emphasize that a decision regarding annexation has not been made. This preliminary stage is an opportunity for both the City and Bull Mountain residents to begin assessing value and feasibility of annexation.

4. RIGHT-OF-WAY AND SIDEWALK RESPONSIBILITY

City Manager Bill Monahan explained that this agenda item would be discussed again at the June 12, 2001, meeting.

Meeting recessed at 7:18 p.m.

Meeting reconvened at 7:20 p.m.

Planning Manager Dick Bewersdorff introduced this agenda topic and gave a PowerPoint presentation. A copy of the presentation is on file with the City Recorder.

Highlights of the presentation included a description of the problem, cost, result, a review of the Municipal Code provisions, code enforcement process, and the program

needs. It was noted that approximately 1,100 property owners would need to be notified of their responsibility for the right-of-way maintenance.

Discussion followed. Councilor Scheckla expressed concern with the projected increase in code enforcement activity. He commented that some citizens will find the policy objectionable. He asserted these negative feelings could jeopardize the City's attempts to promote projects such as the new library or transportation improvements. Mr. Monahan responded that the City needed to provide community education regarding right-of-way and sidewalk responsibility for this reason. The point was made that the City will incur expenses either through increased code enforcement costs or through an enhanced right-of-way program.

A compromise program providing enhanced right-of-way maintenance on major collectors was discussed. The compromise could include a citizen education component, which would not emphasize code enforcement. The Council talked about ways to gain citizen cooperation and how to highlight the positive aspects of the policy. It was noted that neighborhood associations might assist with this effort.

There was some discussion about a scaled-down version of the enhanced right-of-way maintenance program; however, concerns with exceptions and "where to draw the line" were raised.

Meeting recessed at 7:55 p.m.

Meeting reconvened at 8:00 p.m.

5. UPDATE FROM THE NEW TIGARD LIBRARY CONSTRUCTION COMMITTEE

Present for this portion of the meeting were:

Library Director Margaret Barnes, City Engineer Gus Duenas, City Manager Bill Monahan, and New Library Construction Committee members David Chapman, Brian Douglas, James Funk, Lonn Hoklin, and Kathy Sleeper. Councilor Joyce Patton also serves on the Committee.

The Committee discussed potential sites, the need for a two-story structure, and a public information campaign.

Information on the following sites was presented:

Site B - former Stash Tea building, now B&B/B Lithograph.

Property owners said the site could be made available. Issues with the site include the amount of available space; a new building would trigger some flood plain regulations and possibly some environmental issues.

Site D – current Rite-Aid/Value Village property located in downtown Tigard. Mr. Monahan reported that he had been in contact with a representative of Albertson's, Mr. Don Duncombe. More information is needed on the status of the property and lease-back agreements.

Site E – adjacent to Hall Boulevard and owned by Mr. Fred Fields. Mr. Fields is interested in working with the City and proposed some kind of trade situation whereby a road connection from Hall to Hunziker would be built in exchange for library property.

Discussion followed. More information will be needed on all of the potential sites.

Ms. Sleeper reviewed the reasons why the Committee was advocating a two-story building. These are highlighted as follows:

- avoid perception of sprawling building
- civic presence
- allows for future expansion
- uncertain codes may make future expansion difficult
- increases flexible use of space internally and externally
- allows more parking
- emergency vehicle access
- more efficient

Council agreed with the Committee's recommendation for a two-story site.

Mr. Chapman presented information regarding the public education program. A sample fact sheet, slated for public dissemination, has been developed. In addition, there are plans to survey to Tigard citizens. Other proposed methods of informing the public would include:

- scheduling talks with service clubs
- Cityscape updates
- public access television broadcasts
- Tigard Times publications including citizens writing about current Library conditions
- Library board members talking with Library patrons

Mr. Hoklin provided an update on the Library Foundation and the creation of a political committee for this project. Councilor Dirksen suggested the new library be kept in the public eye through press releases and editorials.

Ms. Barnes advised that the City's preferred site is the site owned by Mr. Fields. The Committee's second preference was the Rite-Aid/Value Village site in the downtown area. Mr. Monahan recommended the former Stash Tea building should be dropped

from further consideration. The Committee favors the Fields site due to its expansion potential, and because it is on a current bus route, is located in a natural setting, and would offer an opportunity to expand the trail system and greenspace area within the community. Councilor Patton noted that once the site is identified, the Committee will have a model created, showing the building and how it would be situated on the property. The Committee plans to update the Council again on July 24. The Committee is also scheduled to make a presentation to the Council the last meeting of August, where the Council will be asked to make a decision on whether to go forward with the Committee's recommendations.

6. DISCUSSION OF CITY OF TIGARD'S 40TH BIRTHDAY CELEBRATION

City Manager Bill Monahan apprised the Council of the City's 40th birthday celebration slated for September 11, 2001. This date falls on a Council meeting night. The celebration will include a program and activities beginning in the late afternoon and continuing into Council meeting. After discussion, it was determined the plans for the birthday party were acceptable to the Council.

7. UPDATE ON TIGARD'S PARTICIPATION IN THE INTERNATIONAL RESOURCE CITIES PROGRAM

City Manager Bill Monahan updated Council on the International Resource Cities Program. He reminded the Council that the Program had been mentioned in previous meetings. The plan was for City and County officials to visit a city in Indonesia. After learning of the current political climate in Indonesia, City and County Managers were concerned about travel to the area and did not think the trip was a good idea. It is unknown whether future participation in the Program is possible.

Note: Item #10 - Non Agenda Items were heard at this time

8. CITY MANAGER REVIEW

It was announced that the Council agreed to the City Manager's request for a change in vacation accrual. There was discussion on the need to set goals and develop a performance appraisal form for the City Manager. The City Manager's job description is currently described in provisions of the Code and the employment agreement.

9. COUNCIL LIAISON REPORTS – None

10. NON AGENDA ITEMS

City Manager Bill Monahan noted that the I-5/217 interchange grand opening ceremony will be held on Tuesday, July 10, at 9:30 a.m., on the Bonita overpass.

Mr. Monahan referred to a letter from Mr. David Bragdon of Metro. The Metro staff would like to visit with the City Council regarding to the 2040 growth concept. Council consensus was to arrange a special evening meeting, outside the regularly scheduled City Council meetings, with Metro.

Councilor Brian Moore remarked on the success of the Balloon Festival again this year. He asked the Council whether they would support a resolution to recognize event organizer Bruce Ellis. After brief discussion, the Council agreed that a resolution should be prepared to honor Mr. Ellis for his contributions to the Balloon Festival. This resolution will be slated for Council consideration at the July 10, 2001, meeting.

Councilor Moore suggested that the Council needed to discuss how City Council meetings were conducted. He expressed frustration when Council members did not stay focused on the issue before them. After brief discussion, Council decided to review the Council Groundrules and determine if some revised language is needed to address this or other concerns. The review of the Groundrules will occur at either the July 10 or 24, 2001, meeting.

11. EXECUTIVE SESSION - No Executive Session was held

Meeting adjourned at 9:25 p.m.

Attest:

Catherine Wheatley, City Recorder

Mayor, City of Tigard

Date: _____

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**MEMORANDUM
CITY OF TIGARD, OREGON**

TO: City Council
FROM: Bill Monahan
DATE: August 7, 2001
SUBJECT: COUNCIL CALENDAR, August - October 2001

Regularly scheduled Council meetings are marked with an asterisk (*). If generally OK, we can proceed and make specific adjustments in the Monthly Council Calendars.

August

* 14	Tues	Council Meeting - 6:30 p.m. Study Meeting - Business Meeting
* 21	Tues	Council Workshop Meeting - 6:30 p.m.
* 28	Tues	Council Meeting - 6:30 p.m. Study Meeting - Business Meeting

September

3	Mon	City Offices Closed – Labor Day
10	Mon	Council Meeting with Metro – 6:30 p.m. Summer Creek Conference Room
* 11	Tues	Council Meeting - 6:30 p.m. Study Meeting - Business Meeting
* 18	Tues	Council Workshop Meeting - 6:30 p.m.
* 25	Tues	Council Meeting - 6:30 p.m. Study Meeting - Business Meeting

October

* 9	Tues	Council Meeting - 6:30 p.m. Study Meeting - Business Meeting
* 16	Tues	Council Workshop Meeting - 6:30 p.m.
* 23	Tues	Council Meeting - 6:30 p.m. Study Meeting - Business Meeting

8/21/01 - Workshop	8/28/01 - Business TV Gus - Greeter	9/11/01 - Business TV -Greeter
Due: 8/7/01 @ Noon	Due: 8/14/01 @ Noon	Due: 8/28/01 @ Noon
Workshop Topics	Study Session	Study Session
1. WA County Vision West Update -Liz - 30 min	Exec Sess - Labor Relations - Sandy - 15 min	* Councilor PATTON Not Present *
2. Joint Meeting with the Planning Commission	Consent Agenda	
Regarding WA Sq. Reg Center Plan - Julia/Jim - 45 min	Approve Contract for Laptops - Paul	COT BIRTHDAY MEETING
3. Land Use Appeals Under the Tigard CDC - Jim - BLUE SHEET	Contract for PMMP - Vannie	
Metro 2040 Update - Jim - 15 min	Contract for Fanno Creek Trail Segment 3 - Vannie	
Solid Waste Review for Upcoming Public Hearing - Tom I/ Loreen - 20 min	Business Meeting	Consent Agenda
Photo Radar Update - Ron - 10 min	Proc- Disability Employment - Cathy	
	Proc-Alcohol & Drug Addiction Recovery-Cathy	
	Proc- Undoing Racism - Cahty	
	Completion of Service on Library Board - Susan - 5 min	
	Update New Tigard Library Construction Comm- Margaret - 20 min	
	Vacation of Beveland @ 72nd - QJPH - ORD -	Business Meeting
	Matt - 20 min	City Vision Update - Loreen - 20 min
	Transportation Financing Strategies Task Force Initial Report - Gus - 20 min	
	TMC-Building Appeals Board-Jim- BLUE SHEET	
	TMC-Oversize Load Permits - ORD -Ron-5 min	
	Downtown Parking Amendment - PH - ORD -	
	Beth - 20 min	
	TMC- Public Library - Margaret - 5 min	
	TMC - TPL Exclusion - Margaret & Ron - 10 min	
	TMC-Parking Prohibitions Purposes-Ron-10min	
	TMC Update - Revisions to the Noise Ordinance - PH -Jim - 30 min	
	TMC Update - Municipal Court - ORD - Nadine	
l:/adm/greer/tentatv ag/year99-0.xls		

9/18/01 - Workshop	9/25/01 - Business TV -Greeter	10/9/01 - Business TV -Greeter
Due: 9/4/01 @ Noon	Due: 9/11/01 @ Noon	Due: 9/25/01 @ Noon
Workshop Topics	Study Session	Study Session
Joint Meeting with the Budget Committee		
TMC Update - LCRB - Tom & Terry - 20 min		
Insurance Program Update - Loreen - 15 min		Consent Agenda
Affordable Housing - Duane - 30 min		
Sidewalk - John - BLUE SHEET		
Internet Policy Revisited - Bill -30 min		Business Meeting
	Consent Agenda	TMC Update - Appeals Civil Infractions - Jim -
	Approve Format for Sponsorship Agreements -	BLUE SHEET
	RES - Cathy	TMC Update - Admin & Personnel - Bill - BLUE
	Contract Embedded Crosswalk Lighting System -	SHEET
	Vannie	TMC Update - Residency Requirements - Bill -
		BLUE SHEET
		TMC Update - Police Revenue - Ron - BLUE
		SHEET
	Business Meeting	TMC Update - Nominating Procedures - Cathy -
	Library Construction Committee - Margaret -	BLUE SHEET
	BLUE SHEET	TMC Update - Nuisances (dangerous buildings)-
	Finalize Rose Vista Reimbursement District -	Jim & Ron - BLUE SHEET
	PH - Greg - 15 min	TMC Update - Public Assemblies (Balloon Fest)-
	Solid Waste Rate Adjustment - PH - RES -	Ron - BLUE SHEET
	Tom I - 45 min	TMC Update - Abandoned Vehicles - Ron -
	Possible Baps Temple West Appeal ?	BLUE SHEET
		TMC Update - Truck/Trailer Parking Restrictions -
		Ron - BLUE SHEET
		TMC Update - Moving of Oversize Loads - Gus,
		Ron & Gary - BLUE SHEET
		TMC Update - Burglary & Robbery Alarm
		Systems - Ron - BLUE SHEET
		TMC Update - Theatre Regulations - Ron - BLUE
		SHEET
		TMC Update - Moving of Buildings - Gary & Gus -
		BLUE SHEET
I:/adm/greer/tentatv ag/year99-0.xls		TMC Update - Sidewalks - Ed & Gus - BLUE

AGENDA ITEM # _____
FOR AGENDA OF August 14, 2001

CITY OF TIGARD, OREGON
COUNCIL AGENDA ITEM SUMMARY

ISSUE/AGENDA TITLE A resolution approving Budget Amendment #3 to the FY 2001-02 Budget to appropriate a State of Oregon grant in the amount of \$250,000 for improvements to Cook Park.

PREPARED BY: Craig Prosser DEPT HEAD OK _____ CITY MGR OK _____

ISSUE BEFORE THE COUNCIL

Should the Council approve an amendment to the FY 2001-02 Budget to appropriate a \$250,000 grant for improvements to Cook Park?

STAFF RECOMMENDATION

Approve the resolution.

INFORMATION SUMMARY

On April 19, 2001, the City of Tigard submitted an application to the State of Oregon Department of Parks and Recreation for a \$250,000 grant to help implement the Cook Park Master Plan. On July 2, 2001, the City was notified that its application was approved.

The FY 2001-02 Budget includes appropriations for Phase I of the Cook Park Project. At the time the budget was developed it was not known whether or not the City would receive this grant. The budget, therefore, does not include grant funds for this project. The budget appropriated only the amount of City funds that were available for Phase I of this Project.

With the receipt of the State grant, the budget needs to be amended to recognize the grant funds and to appropriate them for use. The attached resolution does that.

The State grant augments City funds; it does not replace them. The attached resolution therefore increases the appropriation for the Cook Park Project by the amount of the grant. This allows elements originally planned for future years to be implemented in FY 2001-02.

OTHER ALTERNATIVES CONSIDERED

Do not approve the budget amendment. Rely solely on City funds to complete this project.

VISION TASK FORCE GOAL AND ACTION COMMITTEE STRATEGY

N/A

ATTACHMENT LIST

Resolution

FISCAL NOTES

The City Budget will increase by \$250,000.

CITY OF TIGARD, OREGON

RESOLUTION NO. 01-

A RESOLUTION APPROVING BUDGET AMENDMENT #3 TO THE FY 2001-02 BUDGET TO APPROPRIATE A STATE OF OREGON GRANT IN THE AMOUNT OF \$250,000 FOR IMPROVEMENTS TO COOK PARK.

WHEREAS, the City of Tigard developed a master plan for improvements to Cook Park, and

WHEREAS, the total cost of the remaining phases of the master plan is in excess of \$2.5 million, and

WHEREAS, the City applied for a grant in the amount of \$250,000 from the State of Oregon Parks Department to pay a portion of the master plan costs, and

WHEREAS, the City was notified on July 2, 2001 that it was awarded this grant, and

WHEREAS, it is necessary to amend the FY 2001-02 Budget to allow expenditure of these grant funds.

NOW, THEREFORE, BE IT RESOLVED by the Tigard City Council that:

SECTION 1: The FY 2001-02 Adopted Budget of the City of Tigard is hereby amended as shown in Attachment A to this resolution.

PASSED: This _____ day of _____ 2001.

Mayor - City of Tigard

ATTEST:

City Recorder - City of Tigard

Attachment A
FY 2001-02
Budget Amendment # 3

FY 2001-02 Budget	Budget Amendment # 3	FY 2001-02 Revised Budget
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Parks SDC Fund

Resources

Beginning Fund Balance	\$395,331		\$395,331
Grants	0	250,000	250,000
Development Fees & Charges	502,322		502,322
Interest Earnings	9,600		9,600
Total	\$907,253	\$250,000	\$1,157,253

Requirements

Program Expenditures Total	\$0	\$0	\$0
Capital Improvements	\$821,764	\$250,000	\$1,071,764
Contingency	\$80,000		\$80,000
Total Requirements	\$901,764	\$250,000	\$1,151,764
Ending Fund Balance	5,489		5,489
Grand Total	\$907,253	\$250,000	\$1,157,253

AGENDA ITEM # _____
FOR AGENDA OF August 14, 2001

CITY OF TIGARD, OREGON
COUNCIL AGENDA ITEM SUMMARY

ISSUE/AGENDA TITLE Crime Free Conference 2001

PREPARED BY: Chief Ron Goodpaster DEPT HEAD OK _____ CITY MGR OK _____

ISSUE BEFORE THE COUNCIL

The request before Council is to approve this training authorization for Crime Prevention Officer Jim Wolf to attend the 2001 Crime Free Conference in Seattle.

STAFF RECOMMENDATION

Staff recommends Council approve this training request.

INFORMATION SUMMARY

This Conference was not known of at the budget preparation time or it would have been included in our budget request for the fiscal year.

This training is excellent, and we have received a lot of positive comments from other Crime Prevention technicians in the area that have attended it in the past. This training targets specific programs that we are involved in, including crime-free multiple housing, crime free mini-storage, and crime-free hotel/motel/condominium. It also has a session on crime-free life styles.

All of this training would also coordinate with our Enhanced Safety Properties Program and be valuable training to Jim regarding that program.

There is no other training available that has this focus which would be of tremendous benefit to Jim and the City of Tigard.

OTHER ALTERNATIVES CONSIDERED

Not approve training.

VISION TASK FORCE GOAL AND ACTION COMMITTEE STRATEGY

This training addresses the Tigard Beyond Tomorrow Public Safety section of the Visioning Statements for the City of Tigard.

ATTACHMENTS

The attachment is a brief description and schedule for the Crime Free Conference training schedule.

FISCAL NOTES

There are adequate funds in the existing budget to fund this training for Community Service Officer Wolf.

CITY OF TIGARD TRAVEL/TRAINING AUTHORIZATION

Authorization # TA

NAME James Wolf	DEPT ACCT.# 10-1110-624.000	DPSST# 27047	JOB TITLE PIO/CPO	EXT. # 220
------------------------	------------------------------------	---------------------	--------------------------	-------------------

Title of Training Crime Free Conference 2001	Mandatory Training? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Budgeted Item? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
---	--	---

PURPOSE OF TRIP (Complete Conference/Workshop/Meeting agendas MUST be attached to each TA submitted) To learn more about this emerging trend in law enforcement and crime prevention-"crime free." Crime Free programs advocate community policing-a discipline that the Tigard Police strongly uphold and implement. The workshops include training and information in areas such as hotel/motel industry, storage unit locations and multi-family housing, where we have already have implemented one such program-ESP. I would benefit to learn how to make better improvements in programs we presently have and how to initiate new innovative programs to ultimately benefit the community.

TRAINING DATES
From: August 21, 2001
To: August 23, 2001

LOCATION
City: Seatac
State: Washington

REGISTRATION

Vendor City of SeaTac	Costs \$ 150.00 <input checked="" type="checkbox"/> Mail Check <input type="checkbox"/> Hold For Employee <input type="checkbox"/> Reimburse
Mailing Address 17900 International Blvd. #401	
City/State/Zip SeaTac, WA 98188	
Phone # (206) 248-6101	

BOOKS/MATERIALS

Vendor	Costs \$ <input type="checkbox"/> Mail Check <input type="checkbox"/> Hold For Employee <input type="checkbox"/> Reimburse
Mailing Address	
City/State/Zip	
Phone #	

LODGING

Dates to stay: 8/20/01 to 8/24/01 **Daily rate (incl tax):** 171.23

Vendor Doubletree Hotel	Costs \$ 513.69 <input checked="" type="checkbox"/> Mail Check <input type="checkbox"/> Hold For Employee <input type="checkbox"/> Reimburse
Mailing Address 18740 Pacific Highway South	
City/State/Zip SeaTac	
Phone # (206) 246-8600	
Confirmation # 86076173	

TRANSPORTATION

Vendor	Costs \$ <input type="checkbox"/> Mail Check <input type="checkbox"/> Hold For Employee <input type="checkbox"/> Travel Agency to bill City of Tigard
Mailing Address	
City/State/Zip	
Phone #	

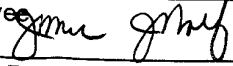
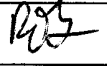
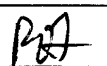
PER DIEM/MEALS

Costs: \$ 80.63 ☒ Advance ☐ Reimburse

MILEAGE _____ miles @ 31¢ per mile

☐ Advance ☐ Reimburse

By signing this travel authorization, I agree to reimburse the City of Tigard any excess amount advanced. I authorize the City to deduct any outstanding advance from my paycheck, if repayment is not made.

Employee 	Date 8/1/01	Supervisor 	Date 7/31/01	Dept. Head 	Date 7/31/01
Human Resources Director	Date	City Manager	Date	City Council	Date

CRIME FREE 2001 CONFERENCE

**Double
August
SeaTac (Seattle), V**

If you can only attend one crime prevention conference this year, attend this one! This is the Third International Conference held on the Crime Free Program topics. The first two conferences were a resounding success. We invite you to join together with Crime Free Coordinators, police officers, security experts, crime prevention specialists, and business owners/managers as we work together towards a goal of a Crime Free tomorrow. The week starts with a **golf tournament** on Monday, August 20, 2001 for those who want to arrive a day early and enjoy time on the links with their colleagues. The actual conference runs three days during August 21-23. At the end of the week, a full day **train-the-trainer** course will be offered for those who wish to become certified trainers.

Informative, Cutting Edge Programs:

Registration



Crime Free Multi-Housing

Speakers



Crime Free Mobile-Housing

Schedule



Crime Free Mini-Storage

About Seattle



Crime Free Hotel-Motel

Contact Us



Crime Free Condominium



Crime Free Lifestyles Program

Train-the Trainer Session

Development Sessions

Crime Prevention Specialist Exam:
[Click Here for Exam Registration Form](#)

For an additional fee, this exam will be administered by the International Society of Crime Prevention Practitioners, Inc. (ISCPP) headquartered in Pennsylvania. This curriculum was released in 1990 and it remains the only comprehensive training document of its type available anywhere in the world. The lesson plans provided herein were written by experienced and professional Crime Prevention Practitioners and trainers.

At this time, over 500 Crime Prevention Practitioners worldwide are recognized by the ISCPP as "Crime Prevention Specialists", by passing the Basic Crime Prevention Curriculum Examination. Curriculum is \$150 plus \$10 S&H for non-members; and \$100 plus \$10 S&H for members. For additional information call (724) 867-1000. The Basic Crime Prevention Curriculum Examination will consist of a total of 200 objective questions. 150 of the questions will come from the CORE subjects. 50 of the questions come from the ELECTIVE subjects.

This conference will have information for you regardless if you're new to crime prevention or an experienced professional. Have you tried to implement a targeted Crime Prevention program before and found that crime statistics didn't go down? The Crime Free programs are different! Each program has shown a statistical reduction in police calls for service (as tracked by the Mesa, Arizona Police Department). The programs have been implemented all over North America...and they work!

Who Should Attend?

This training is ideal for law enforcement, crime prevention specialists, and the business community that deals with rental housing, condominiums, hotels, motels, mini-storage, and mobile-housing. Regardless of your experience level, you are **guaranteed to learn** something new at this conference.

For interested law enforcement professionals, there will be certification courses taught on Friday, August 24, 2001. This will be a **"train the trainer"** format taught by professionals currently running the programs in their jurisdiction.

For experienced professionals, who are already been running one or more programs, we will offer development courses with **"cutting edge"** information and improvements that have been created by the various jurisdictions and communities. These classes will fill in the gaps in your training and take you to a new advanced level.

For the business professional and property owner/manager, learn how to make your business safer and how to work with the police. **Everyone wins when we work together!**



Also, get ready for the 2002 Crime Free Conference!
August 26-28, Savannah, GA

CRIME FREE 2001
CONFERENCE **CRIME FREE 2001**
CONFERENCE SCHEDULE
SCHEDULE IS SUBJECT
TO CHANGE!

[Back to Crime Free Home](#)

Monday, August 20th, 2001

8:00 AM - 4:00 PM - Golf Tournament
 Maplewood Golf & Country Club
 4050 SE Maple Valley Highway
 Renton, WA 98058
 (425) 430-6800

www.seattlegolfguide.com/public/maplewood.html

1st Division, 2nd Division, Calloway Awards, No Banquet (See [entry form](#) on this site)

4:00 PM - 9:00 PM Pre-registration Doubletree Hotel

Tuesday, August 21st, 2001

Registration/ Breakfast 7:00-8:00	General Session 8:00-9:00	Session 1 10:00-11:30	Lunch 11:30-1:00	Session 2 1:00-2:30	Session 3 3:00-4:30
Provided	Welcome Address: Mayor Shirley Thompson		Provided		
HUD	Keynote Address: Ron Sims King Country Executive	Dispelling Section 8 Myths - Pamela Talley King County Housing Authority		ADA & Reasonable Accommodations Omar Barazza Seattle Housing Authority	Hope VI & Finance Mark Beach Seattle Housing Autho
Property Management Industry		Premise Liability Chris McGoe San Francisco, CA		Ten Steps to Safer Multifamily Housing Chris McGoe San Francisco, CA	Liability Concerns: Implementing Crime F Programs Denton Dobbins, J.D Mesa, AZ
Crime Free Programs		Multi-Housing David Rowe Sioux Falls, ND P.D.		Community Mobilization Chris Krug El Cajon, CA P.D.	Crime Free Condominiums John Nebl Schaumburg, IL P.F
Law Enforcement		Eviction Process Chris Benis, J.D. AASK		Cyber Crime Jerry Bailey Calgary, AB P.D.	Marijuana Grow Operations Denys Scully Abbotsford, B.C. P.F
CPTED		Intro to CPTED Sgt. William VanRyswyk Ottawa P.D.		CPTED Issues for Public & Senior Housing Severin L. Sorensen SPARTA	Situational Crime Prevention for Multifamily Housing Severin Sorensen

				Consulting	SPARTA Consulting
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Wednesday, August 22, 2001

Breakfast 7:00-8:00	General Session 8:00-9:00	Session 1 10:00-11:30	Lunch 11:30-1:00	Session 2 1:00-2:30	Session 3 3:00-4:30
	Welcome Address: Sheriff Dave Reichert, KCSO		Provided		
HUD	Keynote Speaker: Allen J. Correll Executive Director, Tacoma Human Rights & Human Services	Housing Special Populations-Mentally Ill Jerry Kosierowski King County Housing Authority		Fair Housing Judith Keeler HUD Seattle, WA	Grants Kellie Svoboda HUD Kansas City, MO
Property Management Industry		10 Steps to Safer Multi-family Housing Chris McGoe		Chronic Problem Properties and CFMH Glen Richmond New Westminster P.S., BC	The Manager's Toolb Bruce Wall Glendale, AZ P.D.
Crime Free Programs		Crime Free Storage Lockers Tim Zehring Mesa, AZ P.D.		Crime Free Hotel/Motel Roundtable Timothy Thomason Columbia, MO P.D.	Crime Free Family Lifestyles Tim Zehring Mesa, AZ P.D.
Law Enforcement		Drug House Elimination Task Force Mary Beth Riggs Tacoma, WA P.D.		Explosives & Ordinance Recognition Stan Etienne	Citizens' Police Acade Eloise Kruger & Niel Burke King County S.O.
CPTED		Multi-family Common Area Lighting Eric Strandburg, L.C. Lighting Design Lab		Electronic Access Control James Masten, P.E. Bouillon Link	CPTED and the Trans Systems Sgt. William Van Rysv Ottawa, ON

Thursday, August 23, 2001

Breakfast 7:00-8:00	General Session 8:00-9:00	Session 1 10:00-11:30	Lunch 11:30-1:00	Session 2 1:00-2:30	Session 3 3:00-4:30
	Welcome Address: Chief Scott Somers SeaTac P.D.		No Host		
HUD	Keynote Speaker: Albert Meusah	Tips and Tricks of Crime Free Multi-housing Kathy Groenewold Tempe, AZ P.D. Bruce Wall		Nuisance Abatement Det. Dan Elting Phoenix, AZ P.D.	International Crime F Association Members Meeting

Property Management Industry		Motivate Managers: Officer Connie Stine Phoenix, AZ P.D.		Should Crime Free be Mandatory?: Harold Julian Las Vegas, NV P.D.	
Crime Free Programs		Crime Free in University Communities Chief Steve Rittreiser CWSU		Crime Free Program Accomplishments	
Law Enforcement		CCTV & Crime Prevention Rod Benedict Aronson Security Group		Behavioral Warning Signs: The Drug Culture Det. Steve Tucker King County S.O.	
CPTED		Activity Support Tracy Walden Savannah, GA P.D.		Drugs & Meth. Lab Recognition Det. Marion Hoyle King County S.O.	

Friday, August 24, 2001
8:00 a.m. - 4:30 p.m.

Train - the -Trainer Certification Course

Dave Rowe, South Dakota Coordinator, Crime Free Programs, Sioux Falls, SD Police Department

John M. Nebl, Illinois Coordinator, Crime Free Programs, Schaumburg, IL Police Department

Chris Krug, California Coordinator, Crime Free Programs, El Cajon, CA Police Department

Kathy Groenewold, CFMH Coordinator, Tempe, AZ

Denys Scully, British Columbia CF Committee, Abbotsford, BC, Canada

AGENDA ITEM # _____
FOR AGENDA OF August 14, 2001

CITY OF TIGARD, OREGON
COUNCIL AGENDA ITEM SUMMARY

ISSUE/AGENDA TITLE Waive Purchasing Rule 70.20(1) and Approve Proposal for Professional Services with BML Architects

PREPARED BY: Margaret Barnes DEPT HEAD OK _____ CITY MGR OK _____

ISSUE BEFORE THE COUNCIL

Shall the Local Contract Review Board waive the Purchasing Rules 70.20(1) and approve the proposal for professional services with BML Architects for the conceptual design and construction of an architectural model of the proposed new library.

STAFF RECOMMENDATION

The staff recommends that the Local Contract Review Board, by motion, waive the Purchasing Rules 70.20(1) and accept the proposal for professional services with BML Architects for the conceptual design and construction of an architectural model of the proposed new library, and authorize the City Manager to sign the Personal Services Contract.

INFORMATION SUMMARY

In March of 2000, BML Architects was contracted by the City to provide a three part architectural study to determine the need for a new library for the community of Tigard. This three part study which was covered under the above mentioned contract has now been completed. At various time this past year the New Tigard Library Construction Committee has presented to Council updates on the work of the Committee.

At the City Council meeting of July 24, the New Tigard Library Construction Committee presented information to the Council regarding the development of the conceptual design and construction of an architectural model of the new library. The model will be a way to represent a two-story structure and the site, once it is determined, to the community. This model will also be a way to demonstrate the relationship between the functionality and architectural design of the building. The Committee recommended to the Council the construction of a paper/plastic model. With such a model, it is possible to show examples of the interior, highlight significant spaces and distinguish between different possible building textures. The Committee was directed to request a proposal, from BML Architects for the construction of the model. The proposal received from BML Architects for the conceptual design and construction of an architectural model was \$53,000.

Given the established relationship that the City and the New Tigard Library Construction Committee has developed with BML Architects through the three part study, and that the construction of the paper/plastic model exceeds

\$25,000, staff is requesting an exemption from the Purchasing Rules 70.20(1) Screening and Selection Policy for Personal Service Contract, Formal Selection Procedure, which would require a formal bid process.

OTHER ALTERNATIVES CONSIDERED

None

VISION TASK FORCE GOAL AND ACTION COMMITTEE STRATEGY

Goal #3: Adequate facilities are available for efficient delivery of life-long learning programs and services for all ages.

Strategy #1: Form a construction committee to explore the feasibility of new library space.

Action Items:

Construction Committee reviews possible sites for new library space.

Construction Committee recommends to the City Council a short list of potential sites.

Strategy #2: Construction Committee reviews the "Needs Analysis Report" and the "Building Programming Report" and presents recommendations to City Council.

ATTACHMENT LIST

Proposal for Professional Services

Letter to BML Architects

FISCAL NOTES

The cost of this proposal is \$53,000. There are funds budgeted in the FY 2001-02 CIP Library Project.



BML Architects
209 S.W. Oak
Suite 600
Portland, OR 97204

July 31, 2001

Ms. Margaret Barnes, Director
TIGARD PUBLIC LIBRARY
13125 SW Hall Boulevard
Tigard, OR 27223

Re: Proposal for Professional Services
Tigard Public Library

Dear Margaret,

We are very excited to see the Tigard Public Library project move closer towards to reality. The following scope of work and fee proposal is a response to your request for conceptual design and the construction of an architectural model for the new 47,000 sf library. The design will address the building program, site constraints for the selected site, and additional input from the Library Construction Committee. The graphics and model produced by this effort will be suitable for display and fundraising purposes.

It is our intent that the conceptual design produced accurately represent the final library design as closely as is feasible given the anticipated schedule lag necessary for the fundraising phase to be concluded. To that end, we anticipate a series of meetings with the Committee and Library Staff to answer questions regarding the final location of departments as relates to the building architecture. Site planning and design is also included.

The model will be cut and assembled by BML staff. We anticipate the model to be constructed from at a scale of $1/16" = 1'-0"$. A wood base and Plexiglas cover is included.

The design process should take approximately 6 to 8 weeks to conclude depending upon the length of the intervals required for the committee to make decisions. The model will take another 5 weeks to complete once the design is finalized.

Margaret Barnes
July 31, 2001

BML Architects
209 S.W. Oak
Suite 600
Portland, OR 97204

The fee for this work is a lump sum and is broken down as follows. The conceptual design fee is approximately half of what would be considered an appropriate schematic design fee if this project were to proceed and represents approximately 7.5 percent of the total AE fee anticipated for this project.

Conceptual Design	\$35,100
Model	\$14,400
<u>Reimbursable Expenses Allowance</u>	<u>\$3,500</u>
Total Fee	\$53,000

Once you give us authorization to proceed, we will be able to start immediately.

Sincerely,



BML Architects
Richard S. Brooks, AIA

January 31, 2000

Richard S. Brooks
BML Architects
209 SW Oak Street, Suite 600
Portland, OR 97204

Re: Tigard Library Design Applicants

Dear Mr. Brooks:

Last evening the Tigard Library Expansion Committee met to review proposals submitted by nine architectural firms. After careful consideration of all submittals, the Committee decided to invite three firms to be interviewed on Saturday, February 12, 2000. I am pleased to inform you that your firm has been selected to be interviewed.

Your interview is scheduled for 9:00 a.m. on Saturday, February 12. The interview will be conducted at the Tigard Civic Center in the Police Conference Room. Please arrive at City Hall approximately ten to fifteen minutes before your scheduled appointment. The City Hall lobby will be open to allow you and your interview team to assemble. A City representative will meet you shortly before your scheduled interview time and escort you to the interview room.

The format of the interview is as follows:

Ten minutes for your interview team to set up for presentation

Twenty minutes for your presentation

Thirty minutes of Committee questions

Since the scope of the services desired by the City has changed somewhat since the Request for Proposals were circulated, the Committee recognizes that your proposal must also change. Therefore, it would be appreciated by the Committee if you would include in your presentation discussion of the following:

1. Your approach to work with the Committee to design a new Library on a location yet to be determined away from the Civic Center location.

2. Your approach to site selection.
3. Your proposal for compensation during the initial period when you act as a consultant to the Review Committee.
4. Identification of the principal individuals who will be involved at other stages of the process.

Please feel free to use your twenty minute presentation time any way you see fit to put forth your proposal and interview team and to enhance the proposal which you have submitted. By enhance, I mean changes necessitated by the City's change of direction.

At this time the Committee is interested in hiring an architectural firm to assist with the entire scope of our Library development project. Initially the successful applicant will be assisting in the formulation of the plan to build a new Library off-site. The architect will also help identify sites for consideration. If all goes well and the Committee is satisfied with the working relationship developed with the architect and with the quality of work performed to that point, the Committee may then utilize the architect for development of the design of the Library. The Committee will interview all applicants with the entire scope of the project in mind; however, we will reserve the right to decide later whether to utilize the selected architect throughout the process.

I look forward to your presentation on February 12.

Sincerely,

William A. Monahan
City Manager

WAM\jh

c: Library Expansion Committee

CITY OF TIGARD, OREGON

RESOLUTION NO. 01-_____

A RESOLUTION WAIVING THE PURCHASING RULES 70.20 "PERSONAL SERVICES - SCREENING AND SELECTION PROCESS - FORMAL SELECTION PROCEDURE" AND APPROVE PROPOSAL FROM BML ARCHITECTS FOR THE CONSTRUCTION OF AN ARCHITECTURAL MODEL OF PROPOSED LIBRARY BUILDING.

WHEREAS, the original contract with BML Architects for the three part architectural study to determine the need for a new library has expired; and

WHEREAS, the New Tigard Library Construction Committee is recommending to Council the construction of a paper/plastic model of a two-story library structure; and

WHEREAS, the proposal for the construction of the model is \$53,000 and Tigard Purchasing rules require a formal bid process over \$25,000; and

WHEREAS, there is an established working relationship with BML Architects and they are familiar with the details of the architect study to date.

NOW, THEREFORE, BE IT RESOLVED by the Tigard City Council that:

SECTION 1: The Tigard City Council, acting as the Local Contract Review Board waive the Purchasing Rules 70.20 (1) Personal Services – Formal Selection Procedure.

SECTION 2: The Local Contract Review Board approve the proposal from BML Architects for \$53,000 for the conceptual design and construction of an architectural model.

PASSED: This _____ day of _____ 2001.

Mayor - City of Tigard

ATTEST:

City Recorder - City of Tigard

RESOLUTION NO. 01-____

AGENDA ITEM # _____
FOR AGENDA OF 8/14/01

CITY OF TIGARD, OREGON
COUNCIL AGENDA ITEM SUMMARY

ISSUE/AGENDA TITLE Appeal of Blue Heron Park Subdivision (SUB2001-00001, PDR2001-00001, ZON2001-00002, SLR2001-00003, VAR2001-00002).

PREPARED BY Kevin Young DEPT HEAD OK _____ CITY MGR OK _____

ISSUE BEFORE THE COUNCIL

Should the City Council uphold or reverse the Planning Commission's denial of the Blue Heron Park Subdivision?

STAFF RECOMMENDATION

Reverse the Planning Commission's denial of the Blue Heron Park Subdivision.

INFORMATION SUMMARY

On June 11, 2001 the Tigard Planning Commission held a public hearing to consider an application for an 18-lot subdivision and planned development on 4.15 acres of land. The property is located at 12450 SW Walnut Street, opposite the intersection of 124th Avenue and Walnut Street. The development proposal is for attached, single family homes on individual lots. Through the flexibility allowed under planned development regulations, the size of individual lots averages approximately 3,800 square feet. Development is to be clustered on the west side of the development site, allowing for the preservation and enhancement of the pond, wetland, and stream area on the eastern portion of the property. A sensitive lands review is required for the development due to the presence of steep slopes, a wetland, and a natural drainageway on the site. The Planning Commission denied the application, based on the finding that the development would adversely affect the welfare of the City.

The applicants filed an appeal on June 22, 2001 of the Planning Commission's decision, based on the assertion that the Planning Commission failed to: explain the criteria and standards considered relevant to the decision, state the facts relied upon in rendering the decision, and explain the justification for the decision based on the criteria, standards, and facts set forth. Staff have reviewed the applicable decision criteria and find there is no criterion regarding the effect of development on the welfare of the City. This is a broad, subjective standard. The purpose statement for subdivisions (Section 18.430.010.A of the Tigard Development Code) includes a statement that the provisions of the chapter are intended to "promote the public, health, safety, and general welfare." However, purpose statements are not decision criteria.

Section 18.390.050.G.1 of the Tigard Development Code requires the appellant to post a notice of the upcoming hearing on the development site at least ten business days prior to the hearing. The site was posted on July 20, 2001, which did not allow for the required ten day period prior to the appeal hearing scheduled for July 24, 2001. Consequently, the City Council opened the hearing on this matter on July 24, 2001 and has continued the hearing to

its next meeting on August 14, 2001, to ensure that all notice requirements will be met. City Council members should bring their information packets from the July 24, 2001 hearing to the August 14, 2001 hearing.

OTHER ALTERNATIVES CONSIDERED

1. Uphold the Planning Commission's denial of the application. If this option is chosen, staff requests that the findings for the decision be clearly linked to applicable code criteria.
2. Reverse the Planning Commission's denial of the application and approve the proposed development, subject to additional conditions of approval as deemed necessary by the City Council.

VISION TASK FORCE GOAL AND ACTION COMMITTEE STRATEGY

N/A

ATTACHMENT LIST

1. Public testimony
2. Memorandum from Associate Planner Kevin Young explaining the planned development process.
- 3a. A draft resolution to uphold the Planning Commission's decision and deny the Blue Heron Park Subdivision.
- 3b. A draft resolution to reverse the Planning Commission's decision and approve the Blue Heron Park Subdivision.
4. Planning Commission minutes from 6/11/01 public hearing.

FISCAL NOTES

N/A

RECEIVED PLANNING

JUL 24 2001

CITY OF TIGARD

CITY OF TIGARD
CITY COUNCIL
13125 SW Hall Boulevard
Tigard, OR. 97223

July 23, 2001

RE: PROPOSED BLUE HERON PARK SUBDIVISION

My name is Donna Cameron and I have lived at 12490 SW Walnut St. here in Tigard for the last 15 years. My father lived there for about 12 years before me and I used to visit him.

The area surrounding my home consists of mostly one story single family detached homes, on good-sized lots, where trees and wildlife have been, in large extent, encouraged. Because of the R 4.5 zoning we had thought that this would continue in future developments. But today I found out that duplexes are considered single family dwellings (how can that be so?).

We have enjoyed a wonderful privacy and quietness. Although the quietness has been disappearing with the increase in traffic every year and with the scheduled road expansion in 2004 the traffic will increase. At this time it has become very difficult to pull out of our driveways because of the traffic.

My back yard is very private and peaceful. To me it is a haven from the stress of my work. Now my privacy is threatened with the presence of 3 back yards backing up to mine each of these with a HUGE 2-story duplex. And each of these building will have 24 windows looking into my backyard and my living-dining room windows. The trees that are supposed to remain will not give any visual barrier because they are all trees with long exposed trunks. I will also have the noise of 3 families coming directly into my backyard.

I am also very concerned about the trees on my land and the ones that will be left standing behind my home because they will probably have their roots damaged by the heavy machinery and they will not have the support of the trees that have been removed. They have been a stand of trees for a very long time and I fear that they will fall if so many around them are removed.

While I know that development must happen I feel that what is proposed by Alpha Engineering for Blue Heron Subdivision is excessive.

People are constantly moving further out of the city looking for more privacy, openness and space. The City of Tigard has been known and appreciated for these things.

I know that the minimum density for this property, under the Urban Growth Boundary Limits, is 12.30 units and I feel that this density should be adopted. This would allow for a different placement of the houses and the removal of less trees which would make it possible to preserve the privacy of the existing homes. I also feel that any buildings that are directly adjacent to other properties should be of only 1-story to help with maintaining our privacy. We don't need to put as many houses as possible on a property. And I don't believe that a developer should request nor be granted bonus points to increase density based on saving wetlands (which they know they can't build on) or on trees that are within the wetlands and aren't removable anyway. What we need is to develop responsibly in a way that will conserve the quality of life for the existing property owners and offer the new property owners a nice environment to live in.

Thank you very much for your time used in reading and considering this letter

*Sincerely,
Donna Cameron*

12300 SW Alberta St.
Tigard, OR 97223
August 3, 2001

RECEIVED C.O.T.
AUG 06 2001
Administration

Tigard City Council
13125 SW Hall Blvd.
Tigard, OR 97223

Dear Council Members,

We are residents on a nice, quiet dead end street in Tigard. We love our nice neighborhood where all of the neighbors know each other and participate in yearly block barbecues and a holiday party. We are very concerned about the impact of the Blue Heron Park Subdivision if it is allowed to proceed as planned.

An 18 unit development put in an area of just over 2 acres is way too many homes for that small an area. We realize that it is the "in" thing nowadays to build large homes on very little land, but in this situation will the homeowners have any area for children to play?

The fact that there will just be one access street for these homes which is on a private street has us very concerned. It will be very congested for the people in the new subdivision and create much more traffic congestion on Walnut at 124th. Walnut is already a very busy street where people drive too fast, and we are most concerned about the safety of drivers with the dip in the street and the curve near there. Since there are no traffic signals, it seems like it would be very dangerous for any children leaving the area trying to get to Mary Woodward School and/or Jack Park. We don't believe that anyone in Tigard would want to see more traffic congestion and certainly not the potential for accidents and injuries for anyone, especially children.

Also, for the new homeowners, where will they be able to park their

extra cars or cars of visitors? It is obvious that there is no place on Walnut for extra parking. We are also concerned about the extra noise from the increased traffic and just having so many families in one small area. We, on Alberta Street, enjoy a nice quiet area. We also are concerned about the fact that there are no plans for a large fence to be built around the subdivision's lots. We, really don't want to have people trespassing through our neighbor's yards and walking down Alberta Street to gain access to 121st Street.

It also saddens us to think of how many beautiful trees would have to be removed to accommodate this subdivision. Is there no end to cutting down trees on Walnut Street and in the area? The beauty of living in Oregon is largely due to our lovely green trees, and it is a shame to keep defacing areas to build more and more homes crammed into a small area.

We would urge you to rethink this proposal for the Blue Heron Park Subdivision. Let's keep Tigard a safe, lovely place to live.

Sincerely,

Chuck Oliver Beth Oliver

Chuck and Beth Oliver

✓

July 22, 2001

RECEIVED C.O.T.

AUG 01 2001

City of Tigard
City Council

Administration

Re: Blue Heron Park Subdivision

As an active Realtor in the Portland Metropolitan Area, I have been asked for my opinion on the potential effect of development in the above-referenced subdivision. I have reviewed the plans presented by the Blue Heron Park Subdivision (BHPS) as it relates to Lots 3800, 4000, 4100, 4200 and the lot west of Lot 4000. In addition, I have also reviewed the density bonuses requested by the developers.

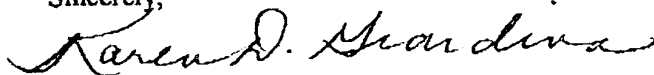
The affected parcels have enjoyed the feel of living in the country and were originally purchased or built for that particular lifestyle. If the owners were to sell their properties after the development by BHPS, they would naturally not be as desirable to a purchaser and would, thus, be expected to bring lower prices in the marketplace.

Lots 4100 and 4200 would have a road between and immediately next to their homes, which will result in traffic of approximately 180 trips per day in comparison to the current 8 trips per day. Also, two-story units would look down into Lots 3800, 4000, 4100, 4200 and the lot west of Lot 4000, which presently enjoy a view of trees and wilderness.

Due to the density proposed by BHPS, the units will be more than single-level units. The more units that are built (in other words, the higher the density), the greater the expected negative impact on the surrounding property values.

Lot 3800, Ms. Kessler's property, will be affected to an even greater extent due to the fact that this project will impose six to eight families just across her north property line. Without fencing, her property becomes susceptible to trespassing, as there is no provision for open, usable ground for a playground, picnic area, etc. The sidewalk proposed into the subdivision, and stairs leading down to wetlands, will invite foot traffic, which can cut through Ms. Kessler's property exposing her property to liability, which will also affect the property's value.

Sincerely,



Karen D. Giardina, Realtor
503-656-9960



MEMORANDUM

CITY OF TIGARD, OREGON

13125 SW Hall Boulevard
Tigard, Oregon 97223
(503) 639-4171
Fax 684-7297

TO: City Council

FROM: Kevin Young, Associate Planner

DATE: July 30, 2001

SUBJECT: The Planned Development Process

During the initial appeal hearing on the Blue Heron Subdivision, on July 24th, a few questions were raised by the City Council. Following are the questions and staff's response:

Staff recommended that the application be approved, subject to the satisfaction of a number of conditions. Where are those conditions located?

The recommended conditions of approval are located on pages 2-6 of the Planning Commission's Final Order # 2001-02 PC, which is included as Attachment 4 in the Council Packet for the July 24, 2001 meeting. The conditions are identified as items #1-48.

Please provide the City Council with the approved minutes of the June 11, 2001 Planning Commission hearing on the Blue Heron Park proposal.

A copy of the approved Planning Commission minutes have been included in the most recent council newsletter. The minutes were approved, as submitted, and are the same as the draft minutes that were included as Attachment 5 in the council packet for the July 24, 2001 meeting. The Planning Commission also voted to attach to the approved minutes a letter submitted by Margie Kessler, received on July 16, 2001, which questions the veracity of the draft Planning Commission minutes.

The staff report refers to the flexibility allowed by the planned development process. Please explain the planned development process and indicate where these standards may be found in the Tigard Development Code.

Planned development, or planned unit development, has been a recognized concept in land use planning since the early 1970's. Planned developments typically allow for more flexibility than is allowed by a standard zoning code, but require that the developer commit to a specific development proposal. The impetus for planned developments is often to design a project around a sensitive environmental area. Planned developments also often allow for a mixture of uses and for flexibility in master-planning large development projects. The smaller lot sizes allowed under planned development standards allow for the clustering of development on the portions of the development site that are less environmentally sensitive. This allows the developer to benefit from the same density that would normally be allowed, but allows for the preservation of the sensitive area. This concept is commonly referred to as "clustering." If a planned development project is well-designed, the preserved natural area will often serve as an amenity for future residents and users of the development.

The Planned Development standards in Tigard's development code allow for flexibility in a number of areas, including allowed uses, lot dimensional standards, lot sizes, building height, setbacks, and parking requirements. Although there is flexibility allowed for lot sizes, it is important to note that residential planned development in Tigard must still comply with the density guidelines. This ensures that development on a given development site will not exceed the maximum density allowed in the zone. However, because of clustering, the developed portion of the site will likely feel more dense than typical development within that zone. In return for the flexibility allowed under planned development standards, the developer must commit to a specific design concept, which often includes landscape designs, building footprint locations, and building designs. Tigard's Planned Development standards may be found in Chapter 18.350 of the Tigard Development Code.

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CITY OF TIGARD, OREGON

RESOLUTION NO. 01-

A RESOLUTION ADOPTING THE FINAL ORDER FOR A SUBDIVISION, PLANNED DEVELOPMENT, ZONE CHANGE, SENSITIVE LANDS REVIEW, AND VARIANCE (BLUE HERON PARK SUBDIVISION - SUB2001-00001/PDR2001-00001/ZON2001-00002/SLR2001-00003/VAR2001-00002).

WHEREAS, the Planning Commission reviewed this case at its meeting of June 11, 2001; and

WHEREAS, the Planning Commission denied the application (Planning Commission Final Order No. 01-02 PC); and

WHEREAS, the applicants submitted an appeal of the Planning Commission's denial of the application on June 22, 2001, and

WHEREAS, a new public hearing with new testimony was provided on July 24, 2001 and continued to August 14, 2001; and

WHEREAS, the City Council determined that _____

WHEREAS, the City Council _____

NOW, THEREFORE, BE IT RESOLVED by the Tigard City Council that:

SECTION 1: The Tigard City Council hereby denies SUB2001-00001/PDR2001-00001/ZON2001-00002/SLR2001-00003/VAR2001-00002 – BLUE HERON PARK SUBDIVISION, based on the preceding findings. The Final Order approved by the City Council is hereby made a part of the permanent record.

PASSED: This _____ day of _____ 2001.

Mayor - City of Tigard

ATTEST:

City Recorder - City of Tigard

CITY OF TIGARD, OREGON

RESOLUTION NO. 01-

A RESOLUTION ADOPTING THE FINAL ORDER FOR A SUBDIVISION, PLANNED DEVELOPMENT, ZONE CHANGE, SENSITIVE LANDS REVIEW, AND VARIANCE (BLUE HERON PARK SUBDIVISION - SUB2001-00001/PDR2001-00001/ZON2001-00002/SLR2001-00003/VAR2001-00002).

WHEREAS, the Planning Commission reviewed this case at its meeting of June 11, 2001; and

WHEREAS, the Planning Commission denied the application (Planning Commission Final Order No. 01-02 PC); and

WHEREAS, the applicants submitted an appeal of the Planning Commission's denial of the application on June 22, 2001, and

WHEREAS, a new public hearing with new testimony was provided on July 24, 2001 and continued to August 14, 2001; and

WHEREAS, the City Council determined that the Planning Commission final order failed to explain the criteria and standards considered relevant to the decision, state the facts relied upon in rendering a decision, and explain the justification for the decision based on the criteria, standards, and facts set forth, as required in Section 18.390.050.E of the Tigard Development Code, and

WHEREAS, the City Council reviewed the staff report and found that, as conditioned, the proposed development would be in compliance with all applicable decision criteria,

NOW, THEREFORE, BE IT RESOLVED by the Tigard City Council that:

SECTION 1: The Tigard City Council hereby approves SUB2001-00001/PDR2001-00001/ZON2001-00002/SLR2001-00003/VAR2001-00002 – BLUE HERON PARK SUBDIVISION, subject to conditions of approval, based on the information provided in the public record. The Final Order approved by the City Council is hereby made a part of the permanent record.

PASSED: This _____ day of _____ 2001.

Mayor - City of Tigard

ATTEST:

City Recorder - City of Tigard

CITY OF TIGARD
PLANNING COMMISSION
Meeting Minutes
June 11, 2001

1. CALL TO ORDER

President Wilson called the meeting to order at 7:30 p.m. The meeting was held in the Tigard Civic Center, Town Hall, at 13125 SW Hall Blvd.

2. ROLL CALL

Commissioners Present: President Wilson; Commissioners Anderson, Mores, Munro, Padgett, Olsen, and Sutton

Commissioners Absent: Commissioners Sclar and Topp

Staff Present: Dick Bewersdorff, Planning Manager; Kevin Young, Associate Planner; Brian Rager, Development Review Engineer; Matt Stine, Urban Forester; Liz Newton, Assistant to the City Manager; Jerree Gaynor, Planning Commission Secretary

3. PLANNING COMMISSION COMMUNICATIONS

None

4. APPROVE MEETING MINUTES

Commissioner Padgett moved and Commissioner Olsen seconded the motion to approve the May 7, 2001, meeting minutes as submitted. A voice vote was taken and the motion passed by a vote of 5-0. Commissioners Mores and Munro abstained.

5. PUBLIC HEARING

**5.1 SUBDIVISION (SUB) 2001-00001/PLANNED DEVELOPMENT REVIEW (PDR) 2001-00001/ZONE CHANGE (ZON) 2001-00002/SENSITIVE LANDS REVIEW (SLR) 2001-00003/VARIANCE (VAR) 2001-00002
BLUE HERON PARK SUBDIVISION**

REQUEST: Approval of an 18-lot subdivision on 4.15 acres. The lots are to be developed with attached single-family homes. Lot sizes within the development average just over 3,800 square feet. Development is to be clustered on the west side of the development site, allowing for the preservation and enhancement of the pond, wetland, and stream area on the eastern portion of the property. A sensitive lands review is required for the development due to the presence of steep slopes, a wetland, and a natural drainageway on the site. **LOCATION:** 12450 SW Walnut Street; WCTM 2S103BC, Tax Lot 3900. The project site is located on the south

side of SW Walnut Street, opposite of SW 124th Avenue and west of SW 121st Avenue. **ZONE:** R-4.5: Low-Density Residential District. The R-4.5 zoning district is designed to accommodate detached single-family homes with or without accessory residential units at a minimum lot size of 7,500 square feet. Duplexes and attached single-family units are permitted conditionally. Some civic and institutional uses are also permitted conditionally. **APPLICABLE REVIEW CRITERIA:** Community Development Code Chapters: 18.350, 18.370, 18.380, 18.390, 18.430, 18.510, 18.705, 18.715, 18.720, 18.725, 18.730, 18.745, 18.765, 18.775, 18.790, 18.795, 18.797 and 18.810.

STAFF REPORT

Kevin Young, Associate Planner, presented the staff report on behalf of the City and summarized the applicant's proposed development. The residential development will be clustered on the western side of the property, away from the sensitive land areas on the eastern portion of the property. The development would create a series of storm water detention ponds adjacent to the existing wetland pond area, reserving approximately 2 acres of the 4.15-acre site as open space. The base density of the site is 16.18 dwellings. The applicant requests density bonuses to allow for an additional two dwelling units. Staff recommends approval of the density bonuses. A change is also recommended to the conditions of approval: Conditions 27 and 28 regarding tree mitigation. Some trees that were designated as dead, diseased or dying are actually trees that would be impacted by the development process and therefore should be mitigated. The applicant desires to meet the 75% tree preservation threshold. Conditions 27 and 28 should be changed to add the stipulation "if required by the City Forester."

President Wilson asked if the applicant has had an arborist look at the trees that are to be saved. For example, there is one tree surrounded by paving and he believes that tree will not survive. Mr. Young responded that he has discussed this with the City Forester. The compacted soil around the trees will help ensure their survival. The applicant will respond to this issue in more detail.

In regard to the zone change standards addressed on page 9, Section VI, paragraph A3, of the staff report, Commissioner Padgett asked what change in the neighborhood took place or what mistake in the comprehensive plan or zoning map occurred. Mr. Young advised that the proposed development involves the adoption of a planned development overlay on the existing zone. There is no comprehensive plan issue and no change to the underlying low density residential zone.

President Wilson asked if the density bonus is subject to variance. Mr. Young advised that the provisions for the density bonus are contained in the planned development ordinance and the tree preservation ordinance. A density bonus is allowed if a proposed design achieves certain goals. Within those provisions there is an absolute cap of 10%. In this case, the applicant has requested density bonuses under four different areas that total 7% under the PUD provisions. The applicant has additionally requested density bonuses under the tree preservation ordinance. Those standards

allow for 1% of density bonus for every 2% of currently existing tree canopy preserved on the site up to a maximum of 20%. In this area, the applicant is requesting a 4.3% density bonus. Allowance of a density bonus is at the Planning Commission's discretion.

APPLICANT'S PRESENTATION

Matthew Sprague and Magnus Bernhardt from Alpha Engineering, 9600 SW Oak Street, Suite 230, Portland, OR 97223, presented the applicant's request. A map showing the location of the site and surrounding land uses was presented to the Commission. Details of the site's wetland area, open space, and slopes were summarized. The applicant desires to retain the existing natural features of the site as much as possible. Of the 4.15-acre site, 2.09 acres will be retained as open space and development will be centered on the western portion of the site. Access to the site is from SW Walnut Street.

The proposal includes a gate at the entrance to the site, a 32-foot right-of-way with a 5-foot sidewalk on one side, off-street parking, 18 attached dwelling units with arbors and porches, and street trees on both sides of the street. Also proposed is a water quality facility and a graded corridor, with improvements to the natural flow of water by creating ponds that will pool the north-south drainage flow. There will be intensive planting of vegetation and trees for screening and shade. Details were presented regarding preservation of existing vegetation and proposed new plantings. All of the existing vegetation on the north will be retained, as well as 75% of existing trees on the site that are over 12 inches in diameter. Development impacts will be offset by enhancing other parts of the project.

In regard to tree islands and survival of the trees, an arborist has looked at them and believes the plan will work. Extensive discussions with the City Forester have resulted in the requirements set forth on Exhibit A attached to these minutes. Due to the imposition of these requirements, the applicant requests that the language "if required" be added to conditions 27, 28, and 29 as it relates to mitigation based on the City Forester's requirements.

Density bonuses can be requested in one area up to 10%, and for preservation of trees, up to 20%. The applicant is requesting a 7% density bonus under the planned development provisions as a result of the proposed streetscape, sidewalk, architectural design, and other improvements. The applicant is also requesting a 4.3% density bonus for the retention of trees and enhancement of the wetland areas.

Mr. Sprague responded to comments and concerns expressed by the Commission:

- ◆ Gated community – applicant believes the gate adds value to the project, increases the value of the proposed units, and ensures the retention of existing values in the vicinity. Applicant concedes that gating is optional.

- ◆ Building on slopes – the proposed units will have higher foundations than a typical house.
- ◆ Tree islands in street and survival of trees – due to site constraints, the currently existing three islands will be paved over and two islands will be created. A condition can be imposed requiring the applicant to replant any trees that do not survive. Upon sale of the units, the landscape islands will be owned by the homeowners association and landscape maintenance would be included either in the agreement for maintenance of the private street, in the CC&R's, or required through deed restrictions.

PUBLIC TESTIMONY - IN FAVOR

None

PUBLIC TESTIMONY - IN OPPOSITION

Jim Vandehey, 12430 SW Walnut, Tigard, OR 97223: A copy of Mr. Vandehey's testimony is attached as Exhibit B to these minutes.

In regard to the lot size and configuration issue, Mr. Young stated that the planned development ordinance being applied here allows for more flexibility. The proposed clustered development is intended to limit the impacts on the sensitive environment area. The creation of smaller lots permits a larger amount of open space. Minimum lot size standards were discussed. This proposal would not create flag lots, each lot will have frontage to the street, and therefore that standard does not apply.

In regard to screening along the street, the Commission has discretion as to what can be required.

In regard to the height issue, the planned development ordinance provides flexibility for hard to develop properties and building height provisions do not apply. Planned development bonuses may be granted at the Commission's discretion. It is up to the applicant to prove that the requested bonuses are justified. The R-4.5 zone allows a maximum height of 30' and the proposed dwellings are 25' or less.

Regarding the utility line issue, Brian Rager advised that the development code contains provisions for streets that have overhead utility lines. The City has the option to require the developer to bury the lines or pay a fee in lieu of burying.

Sharon Murphy, 12470 SW Walnut, Tigard, OR 97223, stated that her property is next to the project entrance. She expressed concerns about traffic and damage to trees on the site abutting her property during excavation and the potential destruction of this natural barrier. She is also unhappy about the view of the new units from the back of her lot and concerned about the noise that will be created by the entrance gate being opened and closed several times a day.

Margie Kessler, 12425 SW Alberta St., Tigard, OR 97223: A copy of Ms. Kessler's testimony is attached as Exhibit C to these minutes. Ms. Kessler also submitted petitions signed by neighbors and a written statement from Doug & Nancy Nash, attached as Exhibit D to these minutes. She requested that the record be held open for 7 days so that her questions can be answered.

Delbert Fennel, 12355 SW Alberta St., Tigard, OR 97223, testified that his property adjoins the SE corner of the site and he is also concerned about traffic and access issues.

Milt Fyre, 12121 SW Lansdowne Lane, Tigard, OR 97223, stated that the proposed subdivision is to the east of his property. He is opposed to the project because it is not consistent with the surrounding area and believes the property should be developed less densely to keep more in line with existing densities in the area.

Barry Reynolds, 12262 SW Lansdowne Lane, Tigard, OR 97223, expressed concern regarding the turbidity caused to the pond during previous development and asked what this developer will do to protect the pond. He also asked about utilities along the new access road, how construction will be accomplished on the steep slopes, and whether fill will be brought in. The applicant advised that the proposed plan only shows the approximate locations of the units and that it is likely that a small amount of fill will be brought in.

APPLICANT'S REBUTTAL

Matt Sprague and Magnus Bernhardt responded to concerns and questions from the public and the Planning Commission.

Regarding access into the subdivision, Walnut Street is a busy street, but with the new light at the intersection of 121st Avenue, they believe there will be breaks in the traffic that will help people to make left turns into the new subdivision.

The walkway from the homes goes to the maintenance pond and is not proposed to go anywhere from that point. It will not cross the pond. In the future, the open space may be developed into a corridor and dedicated to the City.

Regarding fill, grading activities will be limited to the street and water quality facility; most of the property will be left at existing grade.

They reported that there are trees along both sides of the private drive. Some of the trees are on neighboring properties and some are on the site. The applicant's arborist looked at the trees to determine what trees could be saved and what impacts would occur.

Sprague advised that some of the houses closest to the wetlands will be 25' high in the back.

Regarding Mrs. Kessler's concerns about privacy, the applicant stated that the closest house would be about 70' away. They believe that the new homeowners will want to fence their properties. The applicant said they would be willing to work with Mrs. Kessler to see that her privacy is maintained.

Sprague testified that the proposed new homes would range in price from \$180,000 to \$200,000 and would not have any negative impact on existing homes. He believes the subdivision is well designed by saving 75% of the trees, enhancing the open space with plantings, and maintaining privacy.

Regarding noise from the gate, Sprague advised that it would be a swinging gate, not rolling, and if maintained properly, it will be quiet. The gate will be activated with a key pad.

Commissioner Munro asked if the steps down to detention ponds could be used by the neighbors to make their way to the ponds. Sprague answered that the steps could be easily negotiated with a handrail, but this is a sensitive area and recreational use should be discouraged. The steps should be used primarily for maintenance.

Commissioner Sutton asked about the foundation walls on lots 5, 6, 4, 7, and 8. The applicant advised that the foundations would be larger in the back of those lots, but no neighbors will be able to see them.

Milt Fyre commented that neighbors live across the pond and they will be able to see the new homes. Dick Bewersdorff advised that the homes will meet building code requirements and Matt Sprague noted that new plantings in the wetlands will enhance the area.

PUBLIC HEARING CLOSED

Kevin Young demonstrated how to do the density calculations. He noted that the applicant has requested density bonuses through the PUD provisions. The result of that request was 1 unit. A density bonus for tree preservation resulted in another unit for a total of 18 dwelling units.

President Wilson asked if the City is getting anything of value for the density bonuses. Dick Bewersdorff noted that the City uses density bonuses to encourage people to use the PD process. He said that granting of the bonuses is at the discretion of the Planning Commission.

Commissioner Padgett asked about our current status with meeting Metro's density goals. Dick Bewersdorff answered that as long as we meet the minimum density for all zones, we will meet Metro's goals.

Commissioner Olsen commented that he hates to see gates and that he is concerned about silt and the future of the ponds.

Commissioner Sutton asked if fences were allowed in the wetland buffer zone. Kevin Young answered that USA has required the buffer for this development, and he characterizes it more as a vegetated corridor than a buffer. The City does not require the buffer on a minor stream. He said that since USA is requiring some enhancement plantings in that area, we wouldn't be excited about fencing. However, there is no condition in staff report that addresses that issue. Matt Sprague noted that USA likes the facility and the enhancements of this development and lets them go into the buffer area.

Dick Bewersdorff advised that the City code allows fences in sloped areas and drainage areas; the only exception being the floodway.

Commissioner Munro asked if the City should require the developer to dedicate this area as a park area. Bewersdorff said this area probably would not fit into our park plans. It's best to leave it alone as a passive open space.

In response to an earlier question, Kevin Young advised that the minimum density for this parcel would be 12.30 units.

Commissioner Mores also doesn't like gated communities but is in favor of this project. He noted that the City is looking for higher density opportunities in the neighborhood.

Commissioner Munro thinks the developer has met the criteria for this project and would vote favorably.

President Wilson doesn't think anything merits a density bonus and would be in favor of denying the bonus, but otherwise approving the application.

Commissioner Sutton agreed with President Wilson. He said he was not excited about several aspects of the project, but it seems the project meets the letter of the code.

Commissioner Olsen said he believes in the urban boundary limits, and likes what they proposed with this project. He is in favor of the development.

Commissioner Anderson believes the applicant did a good job of planning the project, but she is not convinced of the need for higher density in that area. She believes this project is inconsistent with the rest of the development in the area and is opposed to granting the planned development.

Commissioner Padgett thinks that higher density developments are adverse to the welfare of the City and what it stands for. He is tired of shoehorning small residences into lots just because we can. He believes we have to look at how it affects the culture of the City, so he is not in support of this proposal. He is against the density bonus.

Mrs. Kessler withdrew her request to hold the record open for 7 days.

Commissioner Padgett moved that the Planning Commission deny Subdivision 2001-00001/Zone Change 2001-00002/ PDR 2001-00001/SLR 2001-00003/Variance 2001-00002. Commissioner Anderson seconded motion. A voice vote was taken and the motion passed 4-3. Commissioners Padgett, Anderson, Sutton, and Wilson voted yes; Commissioners Olsen, Munro, and Mores voted no.

Dick Bewersdorff advised that the Commission would have to develop findings for their decision. Commissioner Padgett said it was based on the testimony heard tonight, opinions expressed by the Planning Commissioners during deliberations, and answers to questions from staff, that it will adversely affect the welfare of the City. Because of that, it cannot be approved.

Commissioner Munro offered a minority opinion, saying that she does not see a major adverse effect or even a significant adverse effect. She thinks it promotes exactly what the urban growth boundary is about and that it meets the criteria of the density. She believes the plan is sound and she does not disagree with it. She noted that the City is trying to encourage diversity in our housing and she believes it is an important factor in the diversity and culture of our City.

The Commission took a 10 minute break and reconvened at 10:00 p.m. Commissioner Mores left the meeting at 9:55 p.m.

6. OTHER BUSINESS

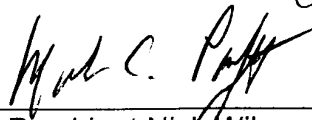
- ♦ Matt Stine, Urban Forester, provided an update on the Fanno Creek Park Enhancement Plan.
- ♦ Liz Newton, Assistant to the City Manager, and Chris Merkel from Tualatin Valley Community Access Cable Company, offered a brief training session on proper techniques for being on camera (attached as Exhibit E).

7. ADJOURNMENT

The meeting adjourned at 10:35 p.m.



Jerree Gaynor, Planning Commission Secretary



ATTEST President Nick Wilson

July 15, 2001

City of Tigard
Planning Commission

RE: Draft of Meeting Minutes of June 11, 2001 = OMISSIONS

I attended and testified in opposition to the proposed Blue Heron Park Subdivision, at the meeting on June 11, 2001. This "Draft" does not include the following pertinent information that was discussed at that meeting:

Density Bonuses:

3% Undeveloped common space = BOGUS

Applicant's request for density bonus 3% for the undeveloped common space was called "BOGUS" by commission because it was based on open space preservation of restricted wetland areas which could not be developed rather than buildable open space preservation.

1% Private Street = DOUBLE count

The trees in the driveway/private street are existing trees have been counted already in the 4.3% density bonus for retention of tree canopy allowed under provision of Chapter 18.790. DOUBLE count.

2% Use of existing topography and views = NO

Any units placed on the buildable east end of this property would have a view of to the east if they have an east window. There is no special "design" for this credit.

1% Architectural quality and building grouping = NO minimized "footprint" of development when two-story attached units crowded together tower above the neighboring single level unattached homes on lots larger than 7500 sq. ft.

Building height limitation:

Units 5 & 6 = 16 foot high foundation + 25 foot house = 41 feet high building

Exceeds the 25 foot height limit and therefore not allowed.

Line of vision into Ms. Kessler's home & patio from 2nd story of units along south property line because her home sits approximately 10 ft. below the ground level of the units proposed.

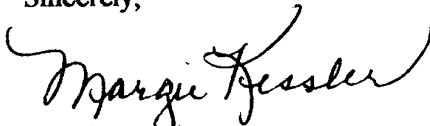
Trees

Minutes fail to address Ms. Kessler's concern for protection of trees on her property which have entangled root systems with the trees being removed at the southwest property line.

Building is restricted in the 50 ft. buffer zone

Property Line of Units 5 & 6 is in the buffer area
Foundation of Units 5 & 6 sit in the buffer area.

Sincerely,


Margie Kessler